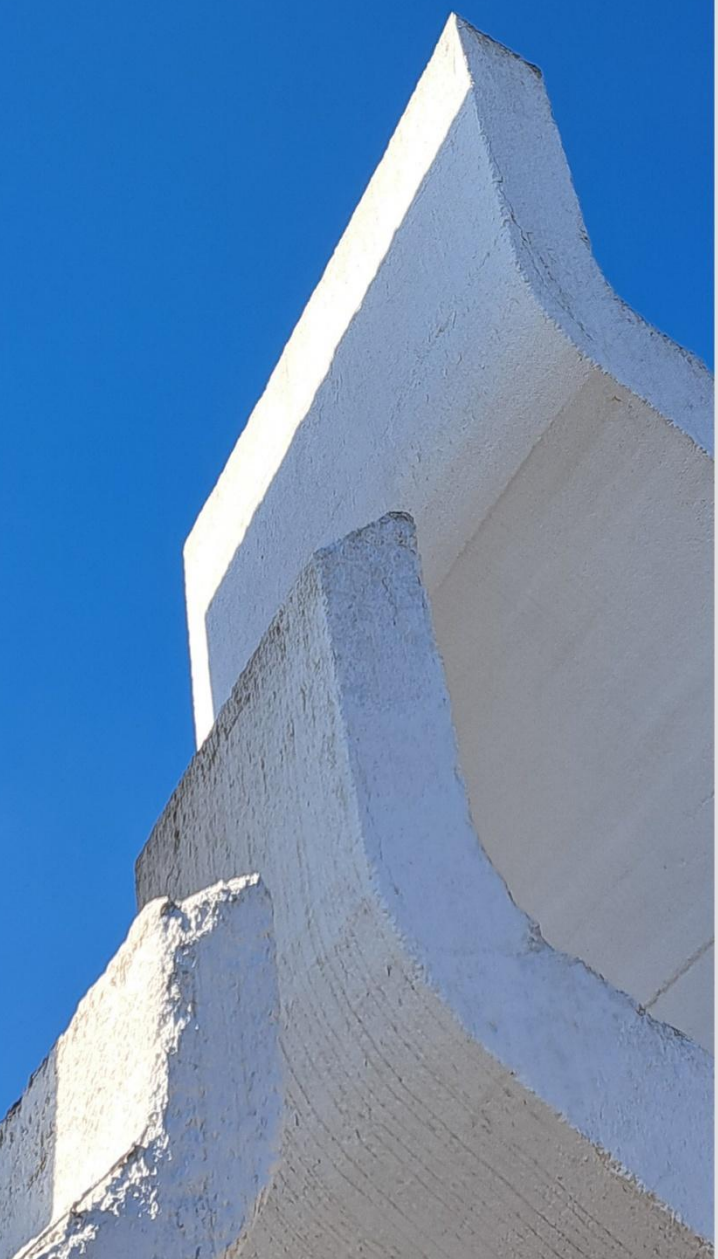
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Challenges of Post-Penal Care in Serbia: Access to Education for Former Offenders

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Abstract: *This paper examines access to education for former offenders as a crucial prerequisite for securing employment and improving their prospects for successful reintegration into society. In addition to analyzing the existing legal and institutional frameworks, the study assesses their practical effectiveness. Employing a mixed-methods approach, the research combines a literature review, legal analysis of relevant legislation, statistical examination of data on educational programs, as well as interviews and focus groups with professionals working with former offenders. The main findings indicate that educational and vocational training opportunities for this group remain significantly underdeveloped, with few structured programs designed to equip them with the necessary skills for the labor market. Insufficient financial resources, a lack of interinstitutional coordination, a shortage of specialized personnel, and limited involvement from civil society organizations compound these limitations.*

Keywords: *Offender Education; Vocational Training; Post-Penal Care; Rehabilitation; Reintegration; Recidivism Reduction*

INTRODUCTION

Post-penal care in Serbia has undergone significant transformations since its introduction after World War II. Over time, legislative reforms have led to a more structured and comprehensive approach to assisting individuals after they have served their sentences. The Law on Enforcement of Penal Sanctions 2014 (LEPS) (Official Journal RS, No. 55/2014, 35/2019) and the Law on Enforcement of Non-custodial Sanctions and Measures (LENSM) (Official Journal RS, No. 55/2014, 87/2018) have introduced a modernized framework for post-penal assistance aiming to reduce recidivism and facilitate social reintegration. Defined in Article 48 of the LEPS, post-penal care encompasses all necessary assistance and support provided to individuals who have been released, ensuring their smooth transition into society.

The key institutions responsible for post-penal care in Serbia are correctional institutions and the Commissioner's Service, both of which play a vital role in coordinating support for released offenders (Kolaković-Bojović and Batrićević 2020). According to Article 185 of LEPS, treatment departments in correctional facilities are required to develop release programs in cooperation with the Commissioner's Service and Social Services. Additionally, Article 186 establishes a multi-agency cooperation model involving the Commissioner's Service, social welfare institutions, the police, and non-governmental organizations (NGOs), all of which contribute to post-release assistance.

The Commissioner's Service, established within the Ministry of Justice's Administration for Execution of Criminal Sanctions, is tasked with implementing probation measures and

coordinating post-penal care. The service operates 25 offices across Serbia, staffed by 27 commissioners, 7 administrative staff members, and 2 department heads, with 36 treatment officers splitting their duties between prison work and enforcement of alternative sanctions (Kolaković-Bojović and Batrićević 2022).

The post-penal assistance program is developed on an individual basis, tailored to the specific risks and needs of each released offender. It includes an assessment of the individual's circumstances, health status, education level, professional skills, and reintegration challenges. Developed one month prior to release, the support program is designed through collaboration between the treatment department, the Commissioner, and the convicted person. The counseling process, which begins at least three months prior to release, enables the Commissioner's Service to design targeted interventions aimed at facilitating successful reintegration.

This article specifically analyzes education as a key factor in employment, addressing the difficulties former convicts face in accessing the labor market and achieving successful reintegrating into society (Matić-Bošković 2019). It contributes to the broader discussion on criminal justice reform, emphasizing the importance of establishing a comprehensive and sustainable post-penal care system grounded in the principles of evidence-based policymaking (Kolaković-Bojović 2022). With its practical orientation, the article aims to inform policymakers and practitioners, offering concrete insights and recommendations. At the same time, it serves as a valuable resource for academic research and comparative analysis, providing a detailed insight into the current situation in Serbia.

METHODOLOGY

The findings presented in this paper are based on comprehensive research conducted by the authors between 2020 and 2024. The paper is based on desk research and incorporates insights from focus groups held during the 2020–2021 phase of the study, which aimed to support the enhancement of post-penal care in Serbia.

The main objective of the research was to explore the overall functionality of post-penal care in Serbia, including the normative framework governing it, organization, capacities and intersectoral cooperation of the stakeholders in charge of (or involved in) providing different services in the scope of post-penal care, as well as the accessibility of various services for ex-offenders. The research itself was divided into seven components based on the areas of post-penal care as defined in Article 57 of the LENSM, which outlines the specific measures available under post-penal care, which include:

1. Assistance in securing housing and food.
2. Access to healthcare and social welfare services.
3. Support in re-establishing family relationships.
4. Employment assistance and access to education or vocational training.
5. Collaboration with social welfare centers to provide financial aid.
6. Support in addressing substance abuse issues.
7. Other forms of personalized assistance.

The specificities of the abovementioned seven pillars of post-penal care also determine the scope and applicability of certain methods in exploring it. The findings were gathered through the triangulation of quantitative and qualitative methods[1], which included legal and comparative analysis of the relevant legislative framework, statistical analysis of data and trends on its implementation, content analysis of websites and informative materials, as well as interviews and focus groups.

Focus groups were organized with professionals responsible for post-penal care, including commissioners who coordinate and oversee post-penal care and prison staff in charge of treatment. The discussions primarily focused on access to education, addressing key issues such as bridging the gap between education programs and vocational training opportunities, both within and outside the prison system. Participants also examined the availability and accessibility of information on these programs for ex-offenders, as well as the barriers they face in accessing them.

Special attention was given to discussing interinstitutional cooperation in the creation and implementation of education and training programs, ensuring they are effectively tailored to the needs of ex-offenders. The role of CSOs in complementing institutional solutions was also discussed. Commissioners shared numerous practical examples from their experience, highlighting both success and challenges.

The key issues identified during the focus group were further explored in-depth through interviews with heads of the units within the Prison administration responsible for post-penal care and offender treatment. Additionally, interviews were conducted with ex-offenders in the short period, up to three years after being released, providing first-hand insights into their experiences with post-penal support.[2]

Finally, several online meetings were held with CSO representatives working in the field of post-penal care, aiming to assess their role, challenges, and contributions to reintegration efforts.

[1] The full methodological approach, including the research tools, was developed in cooperation with and approved by the Serbian Prison Administration. The same applies to the Research Plan, the research tools (such as the list of topics and guiding questions for focus groups and interviews), the list of participants, and other related materials.

[2] Since these interviews were conducted during the 2021–2022 period, they took place via phone calls in order to comply with governmental safety measures against the COVID-19 pandemic. For more information on the specific limitations and measures in force within the prison administration at the time, see: Kolaković-Bojović, Milica and Ana Batrićević. 2021. "Children in Correctional Institutions and the Right to Communicate with Their Families During the Covid-19 Pandemic". *Teme* 18 (4):1115-1130, DOI: 10.22190/TEME210824065K; Kolaković-Bojović, Milica. 2021. "Information and Communications Technology as a Tool to Substitute In-Person Visits in the Serbian Prison System During the Covid-19 Restrictive Measures". *Journal of Liberty and International Affair* 7 (3):21-35, DOI: 10.47305/JLIA2137121kb; Matić Bošković, Marina and Milica Kolaković-Bojović. 2022. "*New Approach to the EU Enlargement Process - Whether COVID-19 Affected Chapter 23 Requirements?"*. EU and Comparative Law Issues and Challenges Series (ECLIC), 6: 330-350, DOI: 10.25234/eclic/22433.

FINDINGS

The Legal and Institutional Framework of Post-Penal Care

The legal and comparative analysis revealed that a significant obstacle to the effective implementation of the legal framework on post-penal care in Serbia is the lack of clear legal provisions defining the competencies, obligations, and responsibilities of various institutions.

The legal framework does not explicitly recognize former convicts as a vulnerable category, which affects the prioritization and scope of post-release assistance. According to professionals directly involved in providing post-penal care, this gap represents one of the most pressing challenges in practice, limiting access to essential support services for individuals reintegrating into society.

The Council of Europe experts recommended that a Commissioner's Service assume the role of coordinating post-penal care in Serbia (Nelissen and Frost 2018). However, despite its broad mandate, the limited resources of the Commissioner's Service hinder its ability to fulfill this function effectively. Without sufficient financial and human resources, the service struggles to establish itself as the central coordinating body responsible for post-release support, leaving gaps in inter-agency collaboration (Kostić and Matić-Bošković 2022).

According to the Council of Europe Annual Penal Statistics (SPACE II 2023, 103), Serbia's Probation Service has one of the lowest reported budgets among Council of Europe member states, which limits its ability to provide adequate post-release assistance and effective reintegration programs (Kolaković-Bojović, Matić-Bošković and Batrićević 2022).

The conclusions from the focus groups, as well as discussions with CSO representatives, indicate that Serbia has made progress by encouraging civil society initiatives focused on providing information, training, and reintegration programs for former convicts. These initiatives align with Council of Europe standards, recognizing the key role of civil society organizations (CSOs) in post-penal care. However, COS's involvement remains largely informal, with limited institutional recognition. In 2017, CSOs working on prison reintegration launched an initiative that led to the establishment of the Post-Penal Support Network in March 2019 (Social Inclusion Team 2019). This network aims to enhance cooperation among CSOs, increase their role in post-penal care, and foster stronger partnerships with state institutions. Despite this initiative, the lack of formalized cooperation between state institutions and CSOs remains a significant challenge.

Education and Training in Post-Penal Care: Accessibility and Coordination

The main legal framework governing post-release education and vocational training in Serbia comprises the LENSM and the Law on Adult Education (LAE) (Official Gazette of the Republic of Serbia, Nos. 55/2013, 88/2017, 27/2018, and 6/2020). These laws establish the foundation for educational opportunities available for former convicts, both during incarceration and after release.

Adult primary education is implemented within correctional institutions (VPU) and penal institutions (penitentiaries), providing inmates with opportunities to acquire basic education and vocational skills. However, the continuation of education after release is also recognized as a key component of reintegration (Stevanović 2021). Article 57(4) of the LENSM explicitly states that

post-release assistance programs may include support for completing education, vocational training, or specialized courses. This legal provision ensures that released individuals who demonstrate an interest in furthering their education can receive the necessary support to pursue their educational goals.

The Serbian education system offers various forms of adult education governed by the LAE, which integrates adult education into a unified national education system in three different forms:

1. Formal education
2. Non-formal education and
3. Informal learning.

Formal adult education encompasses primary and secondary education, which is implemented in verified elementary schools, adult elementary schools, secondary schools, and adult secondary schools.

Primary adult education follows the Functional Adult Basic Education (FABE) model, which enables accessibility and purposefulness of primary education to the adult population. The FABE is an organizational and programmatic unit in the formal education system in which adults receive primary education appropriate to their needs, learning opportunities and labor market needs (Rulebook on closer conditions in terms of programs, personnel, premises, equipment and teaching aids for gaining the status of a PROAEA (Rulebook on closer conditions, Official Gazette of the Republic of Serbia, No. 89/2015).

The adult education curriculum is delivered in specially trained and prepared elementary and adult education schools. It lasts for three years and consists of three one-year cycles. The first cycle focuses on acquiring the basics of functional literacy, while the second and third cycles concentrate on the basics of general education and professional competence. Professional competencies are acquired through training, which is one form of training that aligns with labor standards and labor market needs.

Secondary adult education encompasses special programs for adult education of two to three years duration, vocational training programs, specialist or master's education, training programs, and other adult education initiatives, all of which are conducted in secondary schools or high schools dedicated to adult education. During the year, the school enrolls candidates for the acquisition of specialist or master's education, professional qualifications, retraining, further qualifications, and training with the consent of the Ministry.

In addition to what is provided within the state education system, private high schools have expanded in Serbia in recent decades, offering distance learning, online courses, and flexible programs. However, those programs cost between €1,000 and €10,000 per year, making them inaccessible to many beneficiaries of post-release assistance.

Non-formal adult education offers structured learning programs that operate outside the formal education system, focusing on employment, personal development, and social engagement. Approved non-formal education programs are implemented in primary and secondary schools that have been granted the authority to make decisions on specific adult education activities, as well as other organizations that have been granted the status of Publicly Recognised Organiser of Adult Education Activities (PROAEA) based on a decision by the Ministry of Education.

The status of a PROAEA can be granted to various forms of public or private legal entities or organizations. The approval procedure for PROAEA status can be initiated by submitting a PROAEA application to the Agency for Qualifications, as outlined in the Law on the National Qualifications Framework of the Republic of Serbia (Official Gazette, No. 27/18).

Non-formal education programs cover a wide range of practical and vocational training programs, including literacy and mathematical skills, entrepreneurship and management, media and computer literacy, science and technology, foreign languages, ecology and environmental protection, safety at work, art, civil rights and career guidance for the advancement of job search skills. Depending on labor market needs, additional programs may be introduced to enhance employability.

Informal adult learning refers to self-directed knowledge acquisition in everyday life, work and social interactions. Although not formally structured, it plays a role in skills development and reintegration into the job market.

Access to Information

As equally confirmed by all participants in the process (professionals, ex-offenders, and CSO activists), a major obstacle in integrating secondary adult education, retraining, additional training, and specialization programs into post-release assistance is the lack of awareness among former convicts about the benefits of further education for their employment and career development. Many potential beneficiaries are unfamiliar with enrolment conditions, available programs, curricula, and financial support options, which significantly limits their participation in these opportunities.

Access to information on primary and secondary adult education remains inadequate, as it is mostly available only on the Ministry of Education's website and specialized institutions. These sources primarily focus on the normative and institutional framework, as well as official reports and statistics, but do not provide practical information for potential adult learners. This lack of user-friendly information creates barriers for individuals seeking education after release.

The situation is slightly better in vocational training programs organized by the National Employment Service (NES). NES provides detailed information on courses and training programs online, making them more accessible to those who can navigate digital platforms. However, computer illiteracy is a significant challenge, particularly for individuals released after serving long sentences. Without assistance from the Commissioner's offices, many beneficiaries cannot easily access this information.

For those without digital access, the only alternative is physically checking the noticeboards at NES offices. NES operates a network of over 200 noticeboards, including the Directorate, two Provincial Services, 34 branches, 21 offices, and more than 120 local units across Serbia. This means simultaneous publication on multiple noticeboards is required to disseminate information effectively. However, this method remains inefficient and unreliable, as it depends on regular visits to NES offices by released individuals who may not have the resources or motivation to check for updates frequently.

Stakeholder Cooperation Challenges

As the legal analysis showed, the LEA establishes a multi-level governance framework for ensuring, monitoring, and improving the quality of adult education. A key provision in the LEA is the organization of adult education programs in minority languages, provided that at least 50% of participants belong to a national minority group. In such cases, the respective National Minority Council is involved in providing, monitoring, and improving the quality of education.

Recognizing the importance of local-level coordination, Article 15 of the LEA allows local self-government units to establish Adult Education Councils (the Council), ensuring better monitoring and implementation of adult education policies. These councils may be formed independently or integrated into existing socio-economic or employment councils. Furthermore, multiple local government units can establish a Joint Adult Education Council (Regional Council), which enhances coordination across local government units. The Councils Include representatives from local self-government units, employment services, employers, trade unions, and associations.

Stakeholder cooperation in adult education is structured at two levels, which are critical for post-release assistance:

- National level coordination – the Ministry of Justice (prison administration) must collaborate with national adult education stakeholders, as defined in Article 10 of LAE, to ensure that education programs for post-release individuals align with broader policy frameworks.
- Local/regional level cooperation - Commissioner offices should actively engage with local and regional adult education councils (where established) to ensure that post-release education programs address the specific needs of former convicts.

However, the qualitative analysis showed that even Commissioners lack reliable data on the number and functionality of regional councils. Nevertheless, they highlighted several examples of good practices in cooperation with these councils in various cities across the country.

Recent Trends in Adult Education Availability and Information Access

Statistical analysis revealed that, according to the data presented in the Report on the Implementation of the Annual Adult Education Plan in the Republic of Serbia for 2023, primary adult education was organized in 64 primary schools across the territory of 15 school administrations in Serbia. The program was designed for individuals over 15 years old who had either never started or not completed primary education.

In 2023, the program enrolled 5,835 adult trainees, falling short of the planned 6,477 participants. Completion rates varied across different education cycles: First cycle (I-IV grade) - 1,419 enrolled, but 690 completed; fifth grade - 1,609 enrolled, with 942 completed; sixth grade - 1,416 enrolled, and 984 completed; Seventh grade - 1,849 enrolled, with 1,225 completions; Eight grade - 1,624 enrolled and 1,289 completed (Ministry of Education 2024, 2).

However, qualitative analysis identified several barriers that hinder the efficient attendance and completion of adult education programs in Serbia:

- Travel costs – Many adult education schools are geographically dispersed, requiring students to travel up to 20 km to attend classes. For economically disadvantaged individuals, transportation costs pose a significant challenge, leading to low attendance and high dropout rates.
- Work Commitments – A significant proportion of adult learners are seasonal workers whose irregular work schedules make it challenging for them to attend classes consistently. Many are forced to prioritize employment over education, further limiting retention rates.
- Socio-economic barriers - 80.5% of adult learners belong to the Roma community, who already face systemic socio-economic challenges, including poverty, discrimination, and lack of stable housing (Ministry of Education 2023). These factors directly impact school attendance and participation.
- Lack of vocational training in the final stage – Although the adult education curriculum includes vocational training in the latter half of the third cycle, this component is rarely implemented due to a lack of financial resources and weak stakeholder cooperation at the local level. The absence of vocational training reduces the program's effectiveness in improving employability, making it less attractive for adult learners.

Secondary adult education in Serbia is state-funded and was implemented in 105 secondary schools across the territory of 16 school administrations in 2023. However, this marks a decrease of 12 schools compared to the previous year.

The program was planned for 384 students, but only 203 individuals over the age of 17 enrolled for the first grade. Despite the low enrollment numbers, completion rates indicate strong motivation among those who do participate. Specifically, first-year students completed 119 out of 203 enrolled, second-year students completed 86 out of 192 enrolled, third-year students completed 92 out of 170 enrolled, and fourth-year students completed 101 out of 151 enrolled.

These figures highlight a low dropout rate among enrolled students, suggesting that those who enter secondary adult education are committed to completing it. However, interest in joining formal adult secondary education remains very low, pointing to challenges in awareness, accessibility, and incentives for adult learners.

In 2023, retraining, additional training and specialization programs were implemented in 240 high schools across Serbia. These programs are mostly self-funded by participants supported by interested institutions, enterprises, or the National Employment Service through active labor market policies. A total of 3,262 adult students completed these programs, including 1,471 in retraining programs, 1,219 in qualification programs, and 572 in specialization programs.

The challenges faced in these programs mirror those experienced by post-release assistance beneficiaries, highlighting the need for a coordinated approach across the two levels of stakeholder cooperation.

Additionally, challenges in adult education within the penitentiary system must be considered. In 2023, 356 inmates enrolled in adult education programs within penitentiaries, but the average completion rate was 78.6%. Dropout rates varied by education level: first cycle – 67% completion, fifth grade – 82.4% completion, sixth grade – 80% completion, seventh grade –

78.12% completion, and eighth grade – 85.57% completion (Ministry of Education 2023, 8). Notably, 74.4% of all participants were Roma, reflecting the socio-economic vulnerabilities of this group and the need for targeted support measures.

Limited data availability restricts the ability to analyze recent trends in access to adult education in Serbia. Although the first publicly available Annual Adult Education Plan (AAEP) dates back to 2016, only six annual reports on its implementation have been made publicly accessible. The relatively short reporting period hinders a comprehensive assessment of progress and challenges in adult education.

To identify trends in the availability and accessibility of adult education programs, we relied on four years of data for comparison – 2018, 2019, 2022, and 2023- and analyzed trends arising from available statistical data. While this provides some insights, it is a short period to identify long-term patterns in adult education access and participation.

Table 1: Trends in Formal Adult Education (Source: Ministry of Education 2018 and 2023)

Data on the Adult Education Programmes	Year			
	2018	2019	2022	2023
No. of primary schools that organized programs	64 (15 school administrations)	65 (16 school administrations)	65 (15 school administrations)	64 (15 school administrations)
No. of adult students at primary school	6,090 (of 5,912 planned)	5,926 (of 6,315 planned)	6,015 (of 5,758 planned)	5,835 (of 6,477 planned)
No. of secondary schools that organized programs	121 (16 school administrations)	180 (17 school administrations)	139 (16 school administrations)	105 (16 school administrations)
No. of adult students in secondary schools	351 (of 444 planned)	447 (of 2,776 planned)	503 (of 574 planned)	716
Retraining programmes, Additional training and specialization	178 (17 school administration units)	310 (17 school administration units)	240 high schools	240 high schools
No. of adult students	4,018 (of 11,407 planned)	8,554 (of 23,772 planned)	7,336 (of 24,505 planned)	3,262

Analysis of the available data indicates several notable trends in adult education in Serbia:

- Stable number of schools offering adult education – the total number of schools providing formal adult education programs has remained unchanged, ensuring consistent availability across the country.
- Nationwide availability of formal adult education - Adult education remains accessible across Serbia, with institutions offering primary, secondary, and vocational training opportunities.
- Increase in secondary education enrollment – While the number of adult students attending primary education programs has remained relatively stable, the number of students enrolled in secondary education has more than doubled over the observed period. This suggests growing interest and participation in higher education levels among adult learners.
- Fluctuation in vocational training participation – The total number of students participating in retraining, additional training, and specialization programs initially

doubled but then experienced a significant decline in 2023. This drop may indicate barriers such as financial constraints, lack of awareness, or decreased funding for vocational education programs (Ministry of Education 2018, 2019, 2023).

Analysis of the data presented for non-formal adult education between 2019 and 2023 reveals the following key trends:

- Expansion of thematic scope – The range of topics covered by non-formal adult education programs expanded significantly during this period, reflecting a growing demand for diverse skills and competencies in various sectors.
- Increase in publicly recognized organizers – The number of publicly recognized organizers offering non-formal education more than tripled, rising from 32 in 2019 to 110 in 2023. This indicates greater institutional engagement and capacity-building efforts aimed at enhancing opportunities for adult learning.
- Growing training programs – The number of available training programs increased substantially, from 121 in 2019 to 412 in 2023. This surge suggests improved accessibility and a stronger focus on workforce development through targeted training activities.

Despite statistics indicating a significant expansion of non-formal adult education programs and an increase in publicly recognized organizers, a content analysis of relevant web pages revealed that access to information remains a major challenge. Even researchers in the field struggle to access a comprehensive list of publicly recognized organizers, making it practically impossible for beneficiaries of post-release assistance to obtain necessary details on available programs. To improve access to education and training opportunities, it is crucial to develop a structured list of available programs and organizers. These lists should be:

- Geographically categorized to help individuals find programs within their reach.
- Specialization-based to allow users to identify relevant training opportunities aligned with their skills and career interests.

To ensure up-to-date and accurate information, these lists should be distributed to Commissioner Offices and periodically updated through direct and structured communication between commissioners and adult education organizers. At a minimum, annual updates should be conducted, during which education providers share newly available programs, updated entry requirements, and current funding options. Implementing this systematic approach to information sharing will greatly enhance accessibility and support post-release beneficiaries in making informed decisions about their educational and employment pathways.

A positive example of how adult educational programs should be structured and presented to potential beneficiaries can be found on the National Employment Service website (NES 2025). The NES website offers a clear overview of adult education and training opportunities for job seekers, emphasizing the importance of acquiring new skills to enhance employment prospects. The platform targets individuals who are unemployed, lack work experience, or require additional qualifications. The comprehensive and user-friendly approach serves as a best-practice model for structuring post-release education and employment assistance.

Another good example of structuring adult education and vocational training opportunities is the Business Registry website, which provides clear and practical guidance for individuals interested in starting their businesses. This structured and user-friendly approach serves as a best-practice model for integrating entrepreneurship training into post-release assistance programs, offering former convicts a pathway to self-sufficiency and economic reintegration.

CONCLUSION

This article examines the current state of post-penal care in Serbia, with a particular focus on access to education as a key component of social reintegration and a crucial factor in reducing recidivism. The research confirms that despite a solid legislative foundation provided by the LENSM and LEA, implementation remains inconsistent due to fragmented institutional coordination, limited resources, and insufficient awareness among released individuals about available educational opportunities.

One of the most significant findings concerns the structural barriers that prevent former convicts from effectively accessing and completing adult education programs. These include geographical inaccessibility, socio-economic hardship, lack of vocational training at critical stages, and inadequate inter-institutional cooperation. The analysis of data from 2018 to 2023 demonstrates some progress, particularly in secondary education participation and the expansion of non-formal education programs. However, it also reveals setbacks in vocational training enrollment and the overall functionality of stakeholder networks at the local level. A lack of access to information remains a significant obstacle for post-release beneficiaries. A structured approach to information sharing, including regularly updated lists of programs categorized by geography and specialization, would greatly enhance accessibility.

Examples of good practices in adult education and employment support can be found on the NES website and the Business Registry website, both of which offer clear, structured, and practical guidance on vocational training and entrepreneurship opportunities. Adapting a similar model for post-release assistance would enhance access to education, skills development, and employment pathways for former convicts, improving reintegration outcomes and contributing to a more effective and humane criminal justice system.

Education and vocational training are not only social rights but also strategic tools for reintegration and public safety. Therefore, investment in structured, coordinated, and inclusive post-penal education policies is essential. Enhancing the role of the Commissioner Service, institutionalizing cooperation with adult education councils, and improving information accessibility for ex-offenders are immediate steps that can yield tangible improvements.

Going forward, further research is needed to assess the long-term outcomes of current reintegration programs, especially in terms of employment sustainability and recidivism reduction. Additionally, comparative studies with other European jurisdictions could offer insights into best practices and help Serbia align more closely with international standards.

By highlighting these challenges and opportunities, this article contributes to the growing body of evidence that post-penal care must be understood as an integrated, multi-sectoral responsibility. Strengthening its implementation will not only support individuals in their re-entry but also advance broader goals of justice reform and social inclusion.

CRediT AUTHOR STATEMENT

Milica Kolaković-Bojović: conceptualization, writing-original draft preparation, methodology, data collection, formal analysis, data curation**. Marina Matić-Bosković:** conceptualization, writing-original draft preparation, methodology, data collection, formal analysis, data curation.

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The Essential Role of Gender Sensitization Training in Legal Education

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Abstract: *Raising awareness of gender equality among law students is often overlooked by educators, who may consider it unnecessary due to the higher enrollment of female students. However, this perception obscures a critical issue: in the legal profession, the gender ratio is reversed, with men predominating in key roles. This paper qualitatively analyzed the effects of insufficient or inadequate gender sensitization training within law school curricula on the perspectives of future male lawyers, prosecutors, and judges. The findings indicate a correlation between low gender equality awareness and biased decision-making in the justice system, particularly in cases involving sexual or domestic violence. Despite some progress, there is an urgent need for enhanced efforts to promote gender sensitivity among legal professionals to ensure a more equitable justice system.*

Keywords: *Gender Sensitization Training; Gender Equality; Judicial Stereotyping; Unconscious Bias; Sexual Violence; Albania; Decision-Making*

INTRODUCTION

Each of us views the notion of justice through a different lens. Every perspective is shaped by individual experiences and accounts of receiving or administering justice. Ensuring that those empowered with the latter are aware of the personal circumstances and interests of those on the receiving end is paramount for ensuring justice is done. Ideally, this should be achieved through students in law school, followed by in-service training; however, even the most effective curriculum may not be enough to overcome deeply ingrained beliefs, stereotypes, and biases, some of which may be unconscious.

Gender bias toward women victims, in particular, shown by male actors of the justice system, is an ever-present concern in our society that can lead to significant miscarriages of justice and retraumatization, like that initial Italian Supreme Court verdict that sparked the Denim Day campaign.

Worth exploring in this regard is whether this biased decision-making can be prevented or countered through effective gender equality awareness training for law students and legal professionals, thereby promoting fairer and more sensitive legal actions. Real examples of domestic and sexual violence cases show that without it, it is certainly difficult.

Highlighting both the challenges and opportunities in reducing judicial stereotyping through training is the ultimate aim of this article, which also showcases best practices to follow.

LITERATURE REVIEW AND METHODS

The topic of the impact of gender sensitization training in the justice system has not received the necessary attention from researchers, with contributions mostly coming in the form of manuals, handbooks, and toolkits. They, however, are a valuable resource serving as references in academic literature, like the 2017 Training Manual from the European Union and the Council of Europe and the 2019 "Justice and Gender" Tool from DCAF, OSCE/ODHIR, and UN Women, the latter emphasizing the importance of integrating a gender perspective and pursuing gender equality measures in the justice sector in order to prevent gender bias in decision-making (DCAF, OSCE/ODHIR, UN Women 2019, 10).

The issue is notably recognized in South and Southeast Asia, specifically in India, Pakistan, Nepal, and the Philippines (Asian Development Bank 2018a, 3; 2018b). In the latter, for example, regular gender sensitization trainings are conducted for UP law students and staff. The Indian perspective has been presented through the article titled "Role of gender sensitization training in combating gender-based bullying, inequality, and violence," in which the authors also recognize cultural resistance as a challenge to gender sensitization training (Upadhyay, Khandelwal, Panda 2023, 16).

Academic literature on this particular topic seems to be lacking in the Western Balkans, a region with a historically conservative culture, which is why filling the research gaps on the links between gender sensitization training and judicial stereotyping is a necessity. In presenting the Albanian case, this paper draws from the extensive work of Professor Aurela Anastasi and colleagues on the topic, aiming to expand on some areas.

The study employs only qualitative methods, theoretically analyzing secondary data from monographs, journal articles, legislation, and case law, as well as from handbooks and toolkits, adopting a comparative approach throughout. For this reason, additional research is required on the topic, especially quantitative one, in order to fully establish a positive correlation between gender sensitization training and gender bias in the justice system.

GENDER SENSITIZATION TRAINING AT A GLANCE

Women navigating the justice system, whether as legal professionals or ordinary citizens, appear to share a common experience. As they take legal action, they find that some of the pain of discrimination often comes from the very places they address – courts (Babcock 1993, 2145). This all-too-common-unethical behavior can range from belittling to prejudicial stances and even denying access to justice altogether.

Early intervention through targeted education and training may challenge certain traditional stereotypes and attitudes that are often nurtured within the family unit. In particular, it may be beneficial for future legal professionals to adjust their conceptual lenses somewhat (Anastasi et al. 2017, 6).

This broadly refers to the concept of gender sensitization training (GST), which UN Women has defined as a tool, strategy, and means to effect individual and collective transformation toward gender equality through consciousness-raising, empowering learning, knowledge building, and skill development (Upadhyay, Khandelwal, Panda 2023, 3).In simple terms, GST enables police, lawyers, prosecutors, judges, and other legal professionals to take a

gender-sensitive approach to cases, ensuring that their personal biases do not interfere with the impartial application of the law and guaranteeing due process. In a sense, it is like Rawls' Veil of Ignorance, whereby those deciding the fate of society are shrouded in an imaginary veil, unaware of their social status, race, religion, or gender, and while stripped of prejudice and personal interest, they do have an intuitive sense of right and wrong (Ikonomi 2010, 354-355).

GST can be incorporated into law faculty curricula through dedicated gender equality subjects and in the form of mandatory training modules and toolkits in law schools and judicial academies as part of the initial and ongoing training programs for lawyers, public prosecutors, and judges.

In jurisdictions that utilize a jury of peers to effectively pass judgment in legal proceedings, such as the UK, US, and Canada, GST intended for legal professionals may, unfortunately, become moot, with untrained citizens not infrequently allowing emotion and bias to guide their decision-making, despite mixed-gender compositions.

INTERNATIONAL GST STANDARDS

Addressing judicial stereotyping through preventive measures is a matter that has continued to receive the focus of the international community. At the UN level, the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Article 10 stresses the elimination of stereotyped gender roles at all levels and forms of education. Worth noting from the CEDAW Committee's work is their General Recommendation No. 35, underscoring the requirement from all judicial bodies to ensure that proceedings in gender-based violence (GBV) against women cases are impartial, fair, and unaffected by gender stereotypes. The ILO, recognizing the prevalence of gendered harassment and discrimination in the workplace between colleagues, through Article 11 of the 2019 Violence and Harassment Convention (C190), urges states to ensure that employers and workers are provided with resources, training, and tools on workplace violence and harassment, as well as on gender-based violence.

The European standard is reflected in the Prevention Pillar of the landmark Istanbul Convention, which outlines comprehensive obligations regarding awareness-raising campaigns, education measures, and training of professionals. Equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, GBV against women, and the right to personal integrity are the issues that need to be included as teaching material in formal curricula at all levels of education, even starting from kindergarten (Council of Europe 2011; UN Women 2012, 28). Certainly ambitious goals for most, but not anymore for the Convention's host country, Türkiye, which withdrew from it in 2021 in a controversial move.

Importantly, Article 15 of the Istanbul Convention obligates State Parties to provide or strengthen appropriate training for legal professionals dealing with victims or perpetrators of GBV, especially regarding the needs and rights of the victims and to prevent secondary victimization. Building upon the standard of the Istanbul Convention, the EU Directive 2024/1385 on violence against women and domestic violence foresees Article 36 on training and information for professionals, which notably obligates Member States to provide general and specialist training that is human rights-based and victim-centered, as well as gender-,

disability-, and child-sensitive, to officials in contact with GBV victims, including police officers, lawyers, judges, and prosecutors. Worth noting also is Article 35 of Directive 2024/1385, which obligates preventive measures such as the distribution of consent education material and rape prevention information to promote the central role of consent in sexual relationships.

Gender stereotypes in decision-making can be addressed by the ECHR in the context of discrimination (Article 14) and privacy violations (Article 8), as established by the ECtHR's case law, following the same approach as CEDAW and other human rights mechanisms (Renzulli 2023).

THE IMPORTANCE OF GST FOR DECISION-MAKING IN THE JUSTICE SYSTEM

In 1999, the Italian Supreme Court of Cassation overturned a 1992 rape conviction, arguing that, since the victim was wearing skintight jeans, she must have assisted her rapist in removing them, thereby implying sexual consent. This is an appalling example of the victim-blaming mentality in sexual violence cases, which prompted women in the Italian Parliament to come to work the following day wearing jeans in solidarity with the victim, triggering the Denim Day awareness campaign (Peace Over Violence 2018). Reflection came nearly a decade later in a similar case, where the same court overturned its 1999 verdict. Nevertheless, the judges had set a dangerous precedent. They applied a gender stereotype in their decision-making and substituted this stereotype for law and facts in evidence (Cusack 2014, 19). In a more recent case, an Ordinary Court of Rome verdict sparked public outrage by acquitting a 66-year-old high school caretaker of sexual assault for groping a female student's buttocks. The court argued that, albeit an inappropriate act, the accused had done it as a joke and was not driven by lust, and the touching lasted less than ten seconds (Giurisprudenza Penale 2023).

Similarly, in 2014, the Basic Court of Gjilan in the Republic of Kosovo, on an appeal-ordered retrial, acquitted all four defendants previously convicted of rape. Among the concerning arguments in the decision, the judges felt that the fact of having stayed in a living space with young people inherently meant that the 19-year-old female victim was also amenable to "setting off on sexual adventures" with them, including the defendant, who was older than the victim (Radio Free Europe 2021). Such blatantly prejudicial and insensitive language from a judge may as well be influenced by similar language in seemingly authoritative texts, like a passage from the commentary of the 2012 Kosovan penal code, where the co-author, a former chief prosecutor, states that no crime exists when the victim, after initially expressing nonconsent for the sexual act, later "lets go and submits to the sexual pleasure," in other words, accepts the sexual act. The same problematic remark on sexual violence victims resurfaced in 2023 from a senior Albanian lawyer and public figure, S.N., at a national television talk show. However, it was followed by the intervention of the Anti-Discrimination Commissioner, who classified the language as discriminatory hate speech based on gender and ordered the lawyer to issue a public statement distancing himself from such hate speech.

Apart from members of the public, these unacceptable attitudes also target legal professionals at work, especially female defense attorneys. A male prosecutor in the Albanian city of Pogradec, Sh.K., with a career spanning nearly thirty years, was removed from office in 2023 following a disciplinary proceeding that found numerous professional and ethical violations. Chief among them, during a court hearing, he had berated and bullied the female

defense attorney unprovoked, calling her incompetent and claiming that others prepared briefs for her so that she could read them, that she came from the streets, and asking the court to substitute her (Special Appeal Chamber 2023, AL). This example of courtroom misogyny underscores the importance of adopting a gender-inclusive approach to communication (European Institute for Gender Equality 2024, 10), particularly in institutional settings within the justice system.

The phenomenon is also present in civil and administrative cases. In the ECtHR judgment of *Carvalho Pinto de Sousa Morais v. Portugal,* the court found a violation of Article 14 in connection with Article 8 regarding a Portugal apex court verdict that had reduced the amount of compensation initially awarded to the plaintiff, a female medical negligence victim, that had resulted in her sexual impotence. The basis for this ruling was the fact that the plaintiff was 50 years old. Since she already had two children, for the national court, sexuality was not as important as in the younger years, its significance diminishing with age. Additionally, the plaintiff did not need to hire a maid, as she only had to care for her husband, considering the age of her children. Presented with these facts, the ECtHR notably held that (*Carvalho Pinto de Sousa Morais v. Portugal* 2017, § 52):

> The question at issue here is not considerations of age or sex as such, but rather the assumption that sexuality is not as important for a fifty-year-old woman and mother of two children as for someone of a younger age. That assumption reflects a traditional idea of female sexuality as being essentially linked to childbearing purposes and thus ignores its physical and psychological relevance for the self-fulfillment of women as people.

The above precedents exceed judicial discretion and reflect outdated stereotypes and mindsets, often resulting in incorrect decision-making. Eliminating all these prejudices and behaviors is precisely the aim of GST for legal professionals. Not by teaching the law because most professionals are familiar with the law, but rather by preventing the discriminatory application of the law (DCAF, OSCE/ODHIR, UN Women 2019, 38).

The effectiveness of GST depends on the method of application and the program content. It is worth noting that hour-long online presentations conducted from the comfort of one's home or office are not particularly engaging and do not effectively convey the importance of the topic. Rather, more effort is required to deliver comprehensive face-to-face training sessions for legal professionals, incorporating both theoretical and practical approaches. Additionally, experts recommend peer-to-peer training over that from external trainers (DCAF, OSCE/ODHIR, UN Women 2019, 39), as it may be easier for participants to receive the awareness-raising message when it comes from a colleague they know, trust, and respect. The trainers' gender, I believe, holds no less importance, as a male trainer or facilitator may play a unique role in inspiring reflection on masculinity in ways that a traditionally female gender equality expert may not be able to achieve. This transformative education can also be achieved through study visits, where survivors share their firsthand experiences and accounts of GBV, as well as through cost-effective tools such as social media, films, plays, and workshops (DCAF, OSCE/ODHIR, UN Women 2019, 39; Upadhyay, Khandelwal & Panda 2023, 16).

That being said, apart from cultural resistance, another challenge GST faces, as well as in-service training in general, is that it is often treated as merely a legal requirement by both

trainers and participants, who merely show up to sign their attendance (Upadhyay, Khandelwal, & Panda 2023, 16). To effect real behavior change, GST content must be extensive, engaging, and tailored to the specific country's culture.

On the other hand, it is not unrealistic to expect some initiative from modern legal professionals to independently study contemporary standards of adjudication and best practices, such as the ECtHR case law, rather than relying solely on the next scheduled mandatory training. To illustrate, in three rape convictions from 2016, 2019, and 2021, respectively, by the first instance courts of the Albanian city of Shkodra and the capital, Tirana, the judges had aptly reasoned that the absence of or the claim that no physical violence was present, implying that the victim had consented to the sexual relations, did not exculpate the defendant, even acknowledging in the verdict the fact that under the circumstances the victim "had lost the ability to express dissent" (High Court of the Republic of Albania 2022, 2-4; Tirana First Instance Court of General Jurisdiction 2019, 2021), with clear inspiration from ECtHR case law (*M.C. v. Bulgaria* 2003). In the same vein, the Italian Supreme Court of Cassation seems to have redeemed itself with a May 2023 verdict by duly relieving the sexual violence victim of the burden of resisting the sexual acts imposed on her and outright rejecting the concept of "implicit consent" as outdated cultural stereotypes (Supreme Court of Cassation 2023, IT).

A recent positive example is the outcome of the case of 71-year-old Gisèle Pelicot, which shocked the world. Despite France's initial reluctance to update its sexual violence provisions, even blocking EU proposals, the Avignon court judicial panel, facing 51 defendants out of 73 total suspects, including Gisèle's ex-husband as the organizer, charged with mass raping her for nearly a decade while drugged unconscious by him, rose above the controversy with a 106-page reasoned verdict convicting all defendants with individualized sentences. The court notably acknowledged Gisèle as a victim of sexual abuse, ruling out any possibility of willing participation, and also rejected claims of surrogate consent via the ex-husband by some defendants. A similar stance was taken by the public prosecutor in court, referring to statements like "since she did not react, she gave consent" as belonging to a bygone era (BBC 2024).

THE ALBANIAN CASE

While the European journey of the Republic of Albania's justice system in embracing the gender dimension is ongoing, it does not remain without challenges. The Albanian Constitution, in Article 18, prohibits unjustified discrimination on several grounds, beginning with gender, and this is further elaborated upon by the 2010 Law on the Protection from Discrimination, as amended. In 2008, a new Law on Gender Equality in Society was adopted. Although more comprehensive than the 2004 version, it has not been amended since, as noted by the EU (European Commission 2023, 60), and its application is therefore questionable. However, in March 2025, a promising new draft law on gender equality was introduced for public consultation, which includes harmonized aspects of GST, such as gender-sensitive language and the elimination of stereotypes. The adoption and implementation of the final text will need to be closely monitored.

Domestic violence case law at the time demonstrated a severe lack of understanding of the basic concepts, as illustrated by a later overturned 2003 Tirana first instance court decision that convicted an individual for murdering his daughter with a handgun to only a year and four

months in prison, deeming as mitigating circumstances the fact that the girl had returned home late and that the father had to take care of the other children at home (Anastasi 2012, 165). Similar problematic reasoning can be found in a very recent double femicide case in Modena, Italy, where its Assize Court sentenced the defendant to thirty years imprisonment instead of a life sentence for shooting dead his wife and stepdaughter due to "humanly understandable reasons" referring to, *inter alia*, "habitual spitefulness inflicted by the two women," and deeming that the defendant, being 70 and with no criminal record, would never have perpetrated crimes of such gravity if not driven by the nefarious family dynamics (Giurisprudenza Penale 2025).

To address the prevalence of domestic violence, Albania adopted the 2006 Law on Measures against Violence in Family Relations, last amended in 2020, providing for the application of restraining and protection orders, albeit ineffectively, in cases where the courts have allowed the parties to remain under the same roof.

In 2011, Albania was among the first countries to sign the Istanbul Convention and subsequently ratified it in the Assembly on 4 February 2013 without reservations, which prompted significant reforms to its legislation. Notably, Article 42 of the Convention prohibits the justification of gender-based violence in criminal proceedings based on culture, custom, religion, tradition, or the so-called "honor" principle, none of which are currently recognized by the 1995 Albanian Penal Code. Albania has also been a party to CEDAW since May 1994 and to the C190 ILO Convention since February 2022.

The amended Article 6(ç) of the 2006 Domestic Violence Law, similar to the Gender Equality Law, now mandates the Ministry of Health and Social Protection to co-organize and provide training on topics related to domestic violence for administrative, law enforcement, and judicial authorities. Recently, a dedicated Sector for Combating Domestic Violence was established within the Gender Equality Directorate at the ministry.

According to the National Strategy on Gender Equality 2021-2030 and the accompanying action plan, among the specific measures and activities, five training sessions a year are foreseen for both male and female judges on the topic of workplace harassment and violence based on C190 Convention obligations, from the first half of 2022 to the second half of 2025. Notably, for the duration of the strategy, training sessions are foreseen for male and female legal professionals (judges, prosecutors, lawyers, bailiffs, and police officers) on the application of the 2020 amendments to the Domestic Violence Law, on the immediate removal of the abuser from the domicile, the appropriate protection of GBV and domestic violence survivors, as well as other aspects of the legal framework (Council of Ministers 2021, AL).

Procedural guarantees are in place after the 2016 justice reform, whereby Article 58/b concerning the additional rights of sexual abuse and human trafficking victims was added to the 1995 Code of Criminal Procedure. Victims under this article have the right to be questioned by a judicial police officer or prosecutor of the same gender (gender-sensitive questioning), to refuse to answer irrelevant questions about their private life, usually referring to their sexual history, and to request to be heard via audiovisual tools.

Regarding education, since 2006, the Faculty of Law at the public University of Tirana has included the subject "Gender Equality and Law" (Anastasi et al. 2017, 5) in its curriculum, albeit as an elective rather than a mandatory subject. According to information obtained through a recent Freedom of Information request by the author, the academic plan has been amended since 2023. Now, gender equality matters are covered in the broad subject "Legal Protection

Against Discrimination," which, unfortunately, is also an elective subject in the five-year integrated study program in Law offered by the university.

From the fourth cycle of the Universal Periodic Review (UPR) of Albania in 2024, the country has maintained a formal position of support regarding the recommendations of Cyprus, Costa Rica, Romania, and Slovenia, respectively, on implementing comprehensive programs to promote gender sensitivity in educational institutions; programs for combating the prevalence of stereotypical gender norms in men and boys based on traditional and patriarchal customs; enhancing the application of the National Strategy on Gender Equality 2021-2030; and notably, strengthening further efforts to address harmful gender stereotypes in the justice system.

The Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the main monitoring mechanism of the Istanbul Convention, in its first thematic evaluation report on Albania for 2024, noted the country's progress in implementing the Convention. As regards education, GREVIO finds that despite recent efforts to mainstream gender equality and address gender-based violence at all levels of formal education, teaching in practice remains largely dependent on the willingness of different schools and teachers (GREVIO 2024a, 19), indicating cultural resistance.

The GST for law enforcement at the Police (Security) Academy for the period 2017-2020 included mandatory initial training on investigating domestic violence cases. Training on sexual violence is available as continuous training only, and it is voluntary, as noted by GREVIO (GREVIO 2024a, 21). Commenting on the GREVIO final report, the Albanian authorities have provided additional information in this regard, adding that the Academy's Bachelor program 2021-2024 included an "Equality and Law" subject taught over one semester, with topics such as gender discrimination, gender stereotypes and prejudices, gender issues in the legal field, international law and standards in this field, as well as hate crimes and workplace sexual harassment, the latter for a total of 75 hours (GREVIO 2024b, 7). Albanian authorities further note that attending the course "Legal Issues – Gender Equality" is a requirement for promotion to the rank of commissioner (*Komisar*) in the police.

Some GST is also available in the initial training program at the Albanian School of Advocacy organized by the Albanian Chamber of Advocacy, where during the academic year 2023-2024, attended by the author, only one session was dedicated to the topic of gender equality, despite repeated calls for its expansion, which would ultimately serve lawyers to improve the quality of services (Anastasi 2015, 97). As regards the continuous training program, part of the professional education of lawyers, Article 119 of the 2019 Statute of the Albanian Chamber of Advocacy mentions criminal law training topics focusing on domestic violence offenses, sexual abuse, human trafficking, and child-friendly justice in particular, being a legal requirement to be able to specialize in and represent these cases. According to internal records, from May to October 2023, national training sessions for lawyers were organized on the topics of the prohibition of discrimination, procedural guarantees for victims, the ethics of legal professionals, violence against women and domestic violence, based primarily on HELP courses from the Council of Europe. On 5 March 2024, 29 lawyers attended a regional training session on violence against women and domestic violence based on the corresponding HELP course. A group of senior Albanian lawyers also attended an EU-funded course on EU gender equality law for legal practitioners, organized by the European Research Academy (ERA) in Trier, Germany, on 10-11 March 2025, as part of ERA's 2025 program.

The impartiality of judges and prosecutors (magistrates) regarding gender equality and minority matters is measured through indicators such as their use of discriminatory language (Law No. 96/2016 on the status of judges and prosecutors in the Republic of Albania, as amended in 2016). The Albanian School of Magistrates, tasked with training judge, prosecutor, and legal advisor candidates, as well as other legal professionals, has included the topics of domestic violence, children, and victims in its mandatory curricula for the three-year initial training program of magistrate candidates, and sexual violence is covered in the criminal law subject (GREVIO 2024a, 21). In the academic year 2009-2010, the "Gender Equality and Law" subject was finally included in its curricula (Anastasi et al. 2017, 5). Regarding continuous or in-service training, according to Law No. 96/2016, only five days of training per year are mandatory for sitting judges and prosecutors, and they have the freedom to select and attend courses other than those on gender equality and GBV. In this regard, GREVIO and UN Women have aptly urged the Albanian authorities to ensure the provision of mandatory in-service training on GBV and the prevention of secondary victimization by justice system actors (GREVIO 2024a, 22; Nini-Pavli et al. 2023, 27). The group of experts notes another challenge to GST effectiveness: staff turnover, which prevents an effective transfer of knowledge between legal professionals. Therefore, they encourage the Albanian authorities to take the appropriate measures to address this issue.

Nevertheless, worth noting is the fact that in the School of Magistrates 2024-2027 thematic program for the continuous training program, comprehensive modules are offered, including daily training sessions on the protection of GBV survivors; a dedicated GBV module on women's access to justice, gender equality, avoiding gender stereotypes, gender-sensitive questioning, domestic violence, cyber violence, and others; a module on discrimination, in particular on the gender perspective and discrimination; as well as training on matters of ethics, integrity, deontology, and communication.

According to its website, the School of Magistrates academic staff and experts conducted five training sessions from 8-10 October and 10-11 December 2024 on the topic of prejudice and unconscious bias in decision-making leading to discrimination, incorporating practical exercises and case studies, with the participation of final-year magistrate candidates as well as sitting judges and prosecutors. The institutional communication of magistrates was the topic of two mid-October trainings, and from November to December 2024, three other training sessions were conducted on the important topic of judicial impartiality. Also worth mentioning is the 18 December 2024 training activity on the topic of the gender perspective and compensation for discrimination, which incorporated presentations, case studies, Q&As, and quizzes, with the attendance of sitting judges, prosecutors, judicial police officers, and state advocates. The GBV module commenced on 3 February 2025 with a training activity on international standards related to women's access to justice, women's rights, gender equality, avoiding gender stereotyping, and methods of gender-sensitive questioning, attended by five judges, prosecutors, and judicial police officers. Additionally, records show that four more training sessions from the GBV module were held during February 2025 on the topics of GBV against women and the efficacy of criminal proceedings; the criminal offense of domestic violence; digital violence; gender equality in ECtHR case law, as well as femicide, although unfortunately with noticeably fewer attendees.

CONCLUSION

To recap, this paper presented both negative and positive examples of case law to underscore the impact that GST, or the lack thereof, has on the biased attitudes of legal professionals and how it may serve to alter their conceptual lenses, ultimately promoting fairer decision-making in the justice system. Applying stereotypes in sexual and domestic violence is especially harmful, potentially leading to erroneous verdicts and certainly retraumatizing the victims. From the analysis, possible links can be identified between GST and stereotyped decision-making in the justice system.

The binding standards of the Istanbul Convention have served as a benchmark for national law reform, a trend also observed in Albania. However, the saying "the problem is not how good a law is, but how well it is implemented" holds in this regard. GREVIO, while acknowledging the progress Albania has made in implementing gender equality and GBV teaching materials at all levels of formal education, also notes the voluntary nature of most of them and aptly recommends making them mandatory. Among the positive legal developments over the years and following the ongoing national strategy, the focus must now shift to monitoring the adoption and implementation of the recently proposed law on gender equality, with particular attention to GST standards.

Quality assurance of GST modules is imperative if the goal is to effect behavioral change in legal professionals. This includes selecting appropriate staff and incorporating innovative methods tailored to the specific country. However, both foreign and domestic experiences have shown that overcoming judicial stereotypes through GST, especially in-service training may face significant challenges, such as cultural resistance, low attendance, and staff turnover. On the other hand, these standards become altogether inapplicable when the decision-making is entrusted to juries made of ordinary people instead of legal professionals.

The Albanian School of Magistrates' initial and continuous GST training program modules serve as an example to be followed by all in advancing efforts, offering both aspiring and serving magistrates comprehensive and contemporary training standards that have begun to influence their decision-making process positively.

While acknowledging the global progress made, efforts to mainstream the use of GST should continue. To ensure complete effectiveness, the gender perspective must accompany individuals throughout their legal education and into office, instilling an equitable approach to what would otherwise be complex decision-making.

This study has provided indicators for assessing the essential role of GST in addressing harmful and stereotyped decision-making. Moving forward, a more comprehensive comparative study incorporating data from both pre- and post-GST decision-making may be necessary to fully establish a positive correlation between GST and gender bias in decision-making.

CONTRIBUTOR

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Sustainable Clinical Legal Education: Models of Cooperation with Legal Organizations and Community Engagement

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Abstract: *Clinical legal education (CLE) serves as a crucial bridge between legal theory and practice, equipping students with practical skills while providing legal assistance to marginalized communities. Despite its significance, the long-term sustainability of CLE programs faces persistent challenges, including financial constraints, limited institutional support, and evolving societal needs. This article examines collaborative models that enhance the resilience of CLE by fostering strategic partnerships with law firms, non-governmental organizations (NGOs), bar associations, and community legal aid centers. Drawing on case studies from diverse legal systems, the study identifies key factors for sustaining CLE initiatives, such as effective funding mechanisms, supportive policy frameworks, and deeper institutional integration. The findings underscore that embedding CLE within formal legal education and cultivating multi-stakeholder collaborations can significantly enhance its educational value and social justice impact.*

Keywords: *Clinical Legal Education; Legal Aid; Sustainability; Community Engagement; Legal Education Reform*

INTRODUCTION

Clinical legal education (CLE) is an educational approach that bridges the gap between legal theory and practice, equipping law students with essential professional skills while promoting access to justice. CLE programs have been widely adopted across various jurisdictions to enhance experiential learning and provide free legal services to underserved communities (Wilson 2004). However, the sustainability of CLE initiatives remains a critical challenge, as many programs struggle with financial constraints, a lack of institutional support, and evolving societal needs (Bloch 2011, 2020; Dev 2020; Wilson 2004).

To address these challenges, collaboration between CLE programs, legal institutions, and community organizations has emerged as a key strategy (Cantatore 2017). Partnerships with law firms, bar associations, non-governmental organizations (NGOs), and community legal aid centers can help CLE programs secure funding, integrate practical legal training into their curriculum, and expand their outreach (Duncan 2016; Franz 2023; Promoting Justice through Clinical Legal Education 2013). Despite the potential benefits, the effectiveness of these partnerships depends on factors such as policy support, resource-sharing mechanisms, and the level of institutional commitment (Nwedu 2019).

This article analyzes collaborative models that sustain clinical legal education (CLE), drawing on case studies from diverse legal systems. It highlights key factors—innovative funding, curriculum integration, and stakeholder engagement—and offers practical recommendations to strengthen CLE through strategic partnerships.

METHODS

Study Design

This study employed a qualitative, comparative case study approach to examine the sustainability of CLE programs through models of cooperation with legal organizations and community engagement. The research design was grounded in documentary analysis, synthesizing academic literature, policy reports, and institutional case studies from diverse jurisdictions, including Australia, the United States, Thailand, Malaysia, and Vietnam. These jurisdictions were selected due to their varying levels of CLE institutionalization and the availability of published data on collaborative practices.

The study focused on identifying recurring strategies that contribute to the long-term sustainability of CLE programs, such as financial diversification, institutional support, curricular integration, and technological innovation. Sources were chosen purposively based on relevance and credibility, including peer-reviewed journal articles, CLE program reports, and documents published by legal education networks such as BABSEACLE, the International Journal of Clinical Legal Education (IJCLE), and national bar associations. This design allowed for the exploration of cross-regional patterns and context-specific adaptations in CLE practices.

Where relevant, international frameworks and best practices in experiential legal education were also reviewed to contextualize local developments within broader global trends (Lasky & Nazeri 2014; Murray 2016). By triangulating multiple sources, this study aimed to generate a grounded and nuanced understanding of how cooperation and community engagement contribute to CLE sustainability.

Participants/Samples

This study utilized a purposive sampling strategy to select CLE programs that exemplify diverse models of cooperation and community engagement. The sample included six well-documented CLE programs across five jurisdictions:

- Kingsford Legal Centre (Australia).
- Street Law Program at Georgetown University (United States).
- Chulalongkorn University Legal Aid Centre (Thailand).
- University of Malaya Legal Aid Clinic (KBGUM) and its Community Outreach Programme (Malaysia).
- A group of Vietnamese university-based CLE programs supported by BABSEACLE and international donors (Vietnam).

These programs were selected based on the following criteria:

- Evidence of sustained operation (5+ years).
- Engagement with external partners (e.g., law firms, NGOs, bar associations).
- Documentation in peer-reviewed publications or institutional reports.
- Geographic diversity within common law and mixed legal systems.

The sample does not include individual participants (e.g., students or faculty) but instead focuses on institutional practices and program-level characteristics that contribute to sustainability.

Materials and Instruments

The study relied on secondary data sources, including:

- Peer-reviewed journal articles (e.g., International Journal of Clinical Legal Education),
- Institutional reports and program websites,
- Policy documents and workshop materials from organizations such as BABSEACLE, UNDP, and bar associations,
- CLE practitioner toolkits and training manuals (where available).

A structured document analysis matrix was used to extract information on four thematic areas: 1) financial strategies, 2) institutional integration, 3) educational design, and 4) external collaboration. Sources were coded manually to identify patterns, contextual differences, and common success factors across programs.

No interviews or direct surveys were conducted, as the focus was on synthesizing publicly available data and scholarly documentation.

Procedure

The research followed a multi-step qualitative document analysis protocol. First, relevant CLE programs were identified through a review of existing academic literature, CLE networks (e.g., BABSEACLE), and institutional websites. Programs that met the selection criteria (outlined in the Participants/Samples section) were shortlisted.

Next, for each selected program, a structured document collection process was carried out. This included retrieving peer-reviewed articles, evaluation reports, teaching manuals, funding documents, and public-facing policy statements. When available, conference proceedings, case studies, and media coverage were also incorporated.

Each document was reviewed using a thematic coding guide, which aligned with the study's core areas: financial sustainability, institutional integration, stakeholder collaboration, and impact evaluation. Notes and excerpts were systematically organized using a matrix format to facilitate comparison across programs.

To ensure transparency and replicability, all documents were cataloged with metadata (e.g., publication date, author, source institution). No primary data (e.g., interviews or surveys) were collected, so ethical approval was not required for this study.

Data Analysis

The data were analyzed using qualitative thematic content analysis, following the framework proposed by Bowen (2009) for document-based research. This method allowed the researcher to identify recurring concepts and strategies relevant to the sustainability of CLE programs.

Each source was coded inductively for both predefined themes (e.g., "financial model," "partner engagement") and emergent themes (e.g., "student incentives," "technology integration"). A cross-case comparison approach was then used to examine how different programs implement similar strategies in varying contexts, highlighting both common patterns and jurisdiction-specific adaptations.

Findings were synthesized narratively, supported by comparative tables and documented references, to conclude effective models of cooperation and community engagement in CLE.

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

Defining Clinical Legal Education and Exploring Its Significance

Clinical legal education refers to experiential learning programs within law schools where students engage in real-world legal practice under the supervision of experienced attorneys or faculty members. These programs aim to bridge the gap between theoretical legal education and practical lawyering skills, providing students with hands-on experience in client representation, legal research, and advocacy.

The significance of CLE lies in its dual objectives of enhancing legal education and promoting access to justice. For students, CLE offers an opportunity to develop practical skills, professional responsibility, and ethical awareness — essential components for effective legal practice. For the community, CLE programs often provide *pro bono* legal services to underserved populations, thereby addressing unmet legal needs and contributing to the pursuit of social justice. This symbiotic relationship enriches legal education while serving the public interest (McKeown et al. 2023).

Theoretical Frameworks Underpinning CLE

Clinical legal education is grounded in several theoretical frameworks that shape its objectives and methodologies. One of the most significant is experiential learning theory, which emphasizes learning through direct experience and reflection. This theory asserts that students acquire knowledge most effectively when they engage in hands-on activities, such as client representation and legal advocacy, followed by critical reflection on their experiences (Schön 2017).

Another relevant framework is therapeutic jurisprudence, which examines how legal rules, procedures, and roles impact the psychological well-being of individuals involved in the legal system (Wexler 1999, 2000, 2008, 2014). Therapeutic jurisprudence aligns closely with CLE by encouraging a more human-centered approach to legal practice, emphasizing the emotional and psychological aspects of legal interactions (Walker et al. 2020).

The literature on CLE underscores its importance in bridging the gap between theoretical legal instruction and practical application. For instance, studies have highlighted the role of CLE in fostering social justice by providing free legal aid to underserved communities while simultaneously enhancing students' professional skills.

Moreover, several studies emphasize the role of partnerships in ensuring the sustainability of CLE programs. Collaborative models between law schools, legal aid

organizations, and NGOs have been noted to help secure funding and institutional support. Further suggestions include integrating CLE into law school curricula as a mandatory component to increase its effectiveness and long-term viability.

By synthesizing these theoretical perspectives and empirical findings, this section provides a comprehensive foundation for understanding how CLE functions as both an educational tool and a mechanism for social justice.

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The literature on CLE underscores its importance in bridging the gap between theoretical legal instruction and practical application. Brickman (1982, 615-636) argues that traditional law school curricula often fail to adequately prepare students for real-world legal practice, making CLE an essential component of modern legal education. Similarly, du Plessis (2021), Maduafor (2023) and Owen (2021) highlight the role of CLE in fostering social justice by providing free legal aid to underserved communities while simultaneously enhancing students' professional skills.

Several studies emphasize the role of partnerships in ensuring the sustainability of CLE programs. Nigel Duncan (2016) examines collaborative models between law schools, legal aid organizations, and NGOs, highlighting that such partnerships facilitate the securing of funding and institutional support. Nwedu (2017, 2019) further suggests that integrating CLE into law school curricula as a mandatory component increases its effectiveness and long-term viability.

By synthesizing these theoretical perspectives and empirical findings, this section provides a comprehensive foundation for understanding how CLE functions as both an educational tool and a mechanism for social justice.

Models of Clinical Legal Education Implementation Worldwide

CLE programs have been implemented worldwide through various models, each tailored to the unique legal, educational, and cultural contexts of its respective regions. The following are some of the predominant models.

In-House Legal Clinics

In-house legal clinics operate within law schools, providing students with the opportunity to handle real cases under faculty supervision. These clinics often focus on a wide range of legal issues, including criminal defense, family law, and immigration law, allowing students to develop

practical lawyering skills while engaging directly with clients. A key benefit of in-house clinics is their accessibility and structured learning environment, where faculty members play a crucial role in mentoring students. These clinics offer a controlled setting where students can gain experience in legal research, case analysis, and client counseling without the pressures of an external legal setting. Furthermore, in-house clinics contribute to *pro bono* legal services, assisting underserved populations who may otherwise lack access to justice. For example, in the United States, many law schools have established in-house clinics that focus on civil rights, environmental law, and consumer protection. These clinics not only enhance student competency but also serve as vital resources for local communities.

Externships/Placements

Externships or placements allow students to work in external legal organizations, including law firms, non-governmental organizations (NGOs), public defender offices, and government agencies. Unlike in-house clinics, externships place students in real-world legal environments, where they work under the supervision of practicing attorneys. Externship programs expose students to the realities of legal practice by engaging them in case preparation, courtroom proceedings, legal drafting, and client representation. This model is particularly valuable for students seeking hands-on experience in a specific legal field, as placements can be tailored to individual career interests and goals. In the United Kingdom, for instance, many universities collaborate with law firms and NGOs to provide externship opportunities, ensuring that students graduate with both academic knowledge and professional exposure. These partnerships benefit not only students but also the organizations that receive additional legal assistance through student contributions.

Hybrid Clinics

Hybrid clinics combine elements of in-house legal clinics and externships, offering students both on-campus casework and external placements. This model provides flexibility by integrating the structured learning environment of law schools with the practical experience of working in external legal organizations.

One notable example of a hybrid CLE model is the Centre for Clinical Legal Education at Palacký University in the Czech Republic (Owen 2020). This program collaborates with NGOs and refugee assistance organizations, enabling students to engage in cases related to human rights, refugee law, and anti-discrimination law. Students benefit from a combination of classroom instruction and real-world legal practice, ensuring a comprehensive learning experience.

Hybrid clinics are particularly effective in equipping students with skills in legal ethics, advocacy, and client counseling, as they receive feedback from both academic mentors and practicing lawyers. By blending theoretical instruction with direct engagement in legal matters, hybrid clinics maximize the benefits of experiential learning.

Simulation-Based Clinics

Simulation-based clinics offer an alternative approach to practical legal training, utilizing simulated case scenarios rather than direct client interaction. This model is particularly useful in sensitive legal areas where real-client engagement may be limited due to ethical concerns, such as criminal law, family law, or corporate negotiations. Students in simulation-based clinics participate in moot courts, role-playing exercises, and case simulations, where they practice essential skills such as legal argumentation, contract drafting, and mediation. These exercises are designed to mimic real-life legal situations, allowing students to develop their competencies in a risk-free environment. In Australia, many law schools integrate simulation-based clinics into their curriculum to help students prepare for bar examinations and practical legal assessments. These programs are particularly effective in improving problem-solving skills, critical thinking, and legal reasoning.

Street Law Programs

Street law programs focus on legal education and community engagement, where law students educate the public about their legal rights and responsibilities. This model is particularly impactful in promoting legal awareness among marginalized communities, school students, and non-law professionals. Through street law programs, students develop skills in public speaking, legal interpretation, and policy advocacy, making them better equipped for careers in human rights law, public interest law, and legislative advocacy. Additionally, these programs foster a sense of social responsibility among law students, reinforcing the role of lawyers as community advocates. One well-known example is the Street Law Program at Georgetown University Law Center in the United States, where law students teach practical legal knowledge to high school students, prisoners, and community groups. This initiative not only benefits the community but also helps students improve their ability to simplify complex legal concepts and communicate effectively.

CLE programs have evolved into various models that address different educational, professional, and societal needs. In-house clinics provide structured, supervised learning environments, while externships offer exposure to real-world legal practice. Hybrid clinics combine both approaches for a well-rounded experience, whereas simulation-based clinics offer a risk-free setting for practicing legal skills. Finally, street law programs extend the role of CLE beyond legal training by promoting legal awareness and public empowerment. Each of these models makes a unique contribution to the development of competent, ethical, and socially responsible legal professionals. By integrating these diverse approaches, law schools worldwide can ensure that students are not only well-versed in legal theory but also fully prepared for the challenges of modern legal practice.

Addressing Sustainability Challenges in Clinical Legal Education

Despite the recognized benefits of CLE, programs worldwide encounter various sustainability challenges that hinder their long-term viability. One of the primary difficulties is financial constraints, as operating CLE programs demands substantial resources, including

funding for staff salaries, administrative support, and facilities. Many jurisdictions with limited funding for legal education struggle to secure consistent financial support, making it difficult to sustain these initiatives (Duncan 2016; Promoting Justice through Clinical Legal Education 2013).

Another significant challenge is institutional support. The success of CLE programs largely depends on backing from law school administrations. When institutions fail to fully integrate CLE into their curricula or do not recognize its value, inadequate resource allocation results, leading to instability in program operations (Bengtsson 2021). Faculty engagement also poses an obstacle. Attracting and retaining qualified faculty members who are committed to clinical teaching can be challenging, especially in academic environments where clinical work is often undervalued in tenure and promotion processes (Adrian Evans et al. 2016).

A further challenge arises in balancing educational and service goals. CLE programs aim to provide students with a high-quality learning experience while also delivering effective legal services to clients. However, conflicts may arise when a complex client's needs and case demands do not align with educational objectives, making it challenging to achieve both goals simultaneously (Barry 2014; Kalantry & Hancock 2020b).

Additionally, CLE programs must continually adapt to changes in society. As legal landscapes and social needs evolve, these programs need to revise their focus areas and methodologies to remain relevant. This requires ongoing curriculum development and faculty training to ensure that CLE remains effective in addressing contemporary legal issues (McCrimmon et al. 2016).

Another pressing concern is assessment and evaluation. Measuring the impact of CLE on student learning and community service is complex, and developing effective assessment tools remains an ongoing challenge. Institutions must establish robust evaluation frameworks to determine the educational outcomes and social contributions of these programs (du Plessis 2015). Addressing these sustainability challenges requires strategic planning, institutional commitment, and innovative approaches to integrate CLE effectively into legal education systems.

Moreover, in the context of increasing globalization across various sectors, CLE not only plays a crucial role within national legal education systems but also serves as a bridge for cross-border and regional legal education initiatives. This necessitates the sustainable development of CLE not only at the national level but also on a global scale (Bengtsson & A'Court 2023; Kalantry & Hancock 2020). However, within the scope of this article, the discussion focuses solely on the sustainability aspect of legal education based on the relationship between CLE and legal organizations and communities and does not extend to broader issues related to international cooperation and the global expansion of CLE programs (Nwedu 2019).

COLLABORATIVE MODELS FOR SUSTAINABLE CLE PROGRAMS

The sustainability of CLE programs is significantly bolstered through strategic collaborations with legal organizations and community entities. These partnerships provide essential resources and practical experiences, extending the reach of CLE initiatives and thereby enhancing their effectiveness and longevity.

Partnerships with Legal Organizations

Collaboration with legal organizations such as law firms and bar associations plays a crucial role in providing practical experience for law students. According to Alexander (2023), Bengtsson (2021), and Promoting Justice through Clinical Legal Education (2013), the involvement of law firms in CLE programs enhances students' practical skills. It ensures the real-world applicability of legal education. A study by Duncan (2016) also emphasizes that partnerships between CLE programs and legal organizations create mutual benefits, offering students hands-on experience while helping organizations provide *pro bono* legal services to the community.

Such alliances offer students invaluable hands-on experience, ensuring that their education is deeply rooted in real-world legal practice. For instance, the involvement of law firms in CLE programs has been shown to enhance students' practical skills and ensure the applicability of their legal education in real-world settings (Nwedu 2019).

These partnerships are mutually beneficial. While students gain practical experience, legal organizations benefit from the additional support in providing *pro bono* services to the community. This symbiotic relationship not only addresses unmet legal needs but also fosters a culture of public service within the legal profession. Such collaborations have been identified as influential factors in the sustainability of CLE programs (Duncan 2016; Promoting Justice through Clinical Legal Education 2013).

Engagement with Community-Based Legal Aid Centers

Community-based legal aid centers play a vital role in the success of CLE initiatives. Bloch (2011) argues that connecting CLE programs with these centers enables students to engage with real legal issues and develop counseling and litigation skills. Nwedu (2019) points out that CLE programs collaborating with community legal aid centers tend to have higher retention and growth rates due to support from non-governmental organizations (NGOs) and legal aid funds.

Engaging with community organizations, such as NGOs and advocacy groups, further enhances the impact of CLE programs. These collaborations enable law students to work on pressing social issues, thereby aligning legal education with the community's needs. For example, partnerships between CLE programs and community legal centers have been shown to enhance the practical training of students while addressing community legal needs (Adrian Evans et al. 2016). Through these collaborations, CLE programs can offer services like legal aid clinics, workshops, and community education sessions. Such initiatives not only provide students with diverse learning opportunities but also empower communities by enhancing their legal awareness and access to justice.

University-Led CLE Models with Government Support

Government involvement in CLE programs ensures their sustainability and scalability. According to Kolb (1984c), government support is not only limited to financial funding but also includes establishing legal frameworks to recognize CLE as a vital part of legal education. Wexler

(2014) highlights that collaboration between CLE programs and a government institution expands the availability of free legal services to low-income populations.

Strategic partnerships play a crucial role in ensuring the sustainability of CLE programs by offering multiple benefits. One key advantage is resource sharing, as collaborations help institutions pool resources and reduce financial burdens. This collective approach guarantees that CLE programs have access to essential facilities, funding, and expertise necessary for their operations. Additionally, these partnerships enhance curriculum relevance by allowing CLE programs to work closely with legal practitioners and community leaders. Through this collaboration, curricula can be tailored to address contemporary legal challenges, ensuring that students receive training that is both practical and responsive to the evolving needs of society.

Moreover, partnerships contribute to professional development by creating mentorship opportunities with experienced legal professionals. This engagement enables students to develop critical skills and establish professional networks that are essential for their future careers. Another significant benefit is the strengthening of community trust. Collaborations with community entities establish credibility and encourage more individuals and groups to seek legal assistance from CLE programs. This increased participation not only enriches student learning experiences but also amplifies the broader societal impact of CLE initiatives. Through these combined efforts, strategic partnerships help CLE programs remain resilient, adaptive, and impactful within the evolving legal landscape.

Case Studies of Successful CLE Collaborations

Clinical legal education programs have significantly benefited from strategic partnerships with legal organizations and community entities, enhancing their sustainability and impact. Notable examples from Australia and the United States illustrate how such collaborations enrich legal education and serve public interests.

Australia: Integrating CLE through Community Legal Centres

In Australia, many law schools have seamlessly integrated CLE into their curricula by partnering with community legal centers. These collaborations provide students with invaluable practical experience while addressing societal legal needs. A prominent example is the Kingsford Legal Centre (KLC), established in 1981 as part of the University of New South Wales Faculty of Law. KLC offers free legal advice to residents of the Botany and Randwick local government areas, covering areas such as employment law, debts, victims' compensation, and domestic violence. This integration allows students to handle real cases under supervision, bridging the gap between theoretical knowledge and practical application.

A notable example of sustainable CLE practice through institutional collaboration is the Kingsford Legal Centre, which operates in partnership with both public and private sector legal entities. The Centre receives core funding from the New South Wales Legal Aid Commission, ensuring a stable financial foundation. In addition, it benefits from a longstanding partnership with the international law firm Herbert Smith Freehills, which supports the program by seconding solicitors to the Centre on a rotational basis. This model of resource sharing not only enhances service delivery to disadvantaged communities but also embeds experiential learning

into the legal curriculum. Through this collaboration, law students receive immersive, practice-based learning experiences, enabling them to engage directly with clients and develop essential legal skills in real-world contexts (Duncan 2016).

United States: Collaborations between Law Schools and Legal Aid Organizations

In the United States, the evolution of CLE has been profoundly influenced by collaborations between law schools and legal aid organizations. A seminal example is the Antioch School of Law, founded in 1972 by Edgar and Jean Camper Cahn. The school pioneered a clinical education model where students engaged directly in providing legal services to underserved communities. This approach not only equipped students with practical skills but also addressed unmet legal needs, embodying the dual objectives of CLE: education and social justice. The Cahns' vision of integrating a teaching law firm within the educational framework set a precedent for other institutions, highlighting the mutual benefits of such partnerships.

The Clinical Legal Education Center at Palacký University in the Czech Republic exemplifies a collaborative clinical legal education (CLE) model that integrates academic training with practical legal services. This model is built on cooperation between the university and non-governmental organizations (NGOs), enabling law students to engage in real-world legal practice while addressing critical social issues. Through this partnership, students provide legal services in areas such as human rights and anti-discrimination law, gaining hands-on experience in advocacy, client representation, and legal research. This approach not only strengthens students' professional skills but also contributes to social justice by offering legal support to vulnerable populations. By bridging academic learning with public service, the Palacký University CLE Center demonstrates the value of integrating legal education with community-based legal work (Nwedu 2017, 2019).

These international examples underscore several key advantages of partnerships in CLE programs.

Firstly, resource sharing plays a crucial role in sustaining CLE programs by allowing institutions to pool resources and reduce financial burdens. Collaborative efforts between universities, law firms, and legal aid organizations provide access to funding, expertise, and infrastructure that individual institutions may struggle to secure on their own. For example, Kingsford Legal Centre's (KLC) partnership with Herbert Smith Freehills grants students and clients access to experienced legal professionals, strengthening the center's ability to provide high-quality legal services to the community. Such partnerships not only enhance the financial sustainability of CLE programs but also improve the quality of legal education and community impact.

Secondly, curriculum relevance is essential for ensuring that CLE programs effectively prepare students for the evolving legal landscape. Engaging with practicing professionals and community leaders allows CLE programs to align their curricula with contemporary legal challenges, ensuring that students gain practical knowledge and problem-solving skills applicable to real-world scenarios. The Antioch School of Law serves as a notable example, as its model of involving students in real-world cases ensured that legal education remained relevant and responsive to societal needs. By integrating experiential learning with current legal issues,

CLE programs enhance student preparedness while fostering a more dynamic and socially engaged legal education system.

Thirdly, professional development is a crucial aspect of CLE programs, as partnerships with legal organizations offer mentorship opportunities that help students cultivate essential skills and expand their professional networks. Working closely with experienced practitioners enables students to develop competencies in legal research, client interaction, case management, and courtroom advocacy—skills that are critical for their future careers. At Kingsford Legal Centre (KLC), students gain practical, hands-on experience by collaborating with seasoned legal professionals, allowing them to apply theoretical knowledge in real-world legal settings. These partnerships not only enhance student preparedness for the legal profession but also facilitate networking opportunities that can support their long-term career growth.

Fourthly, community trust is a vital component of CLE programs, as collaborations with community entities help build credibility and encourage individuals to seek legal assistance. When CLE programs actively engage with local communities, they establish themselves as reliable sources of legal support, particularly for underserved populations. The Antioch School of Law exemplifies this approach through its dedication to providing legal services to marginalized groups, which not only enhanced its reputation but also strengthened its societal impact. By fostering trust and transparency, CLE programs can expand their reach, enhance access to justice, and cultivate lasting relationships with the communities they serve.

In conclusion, the sustainability and effectiveness of CLE programs are significantly bolstered by strategic partnerships with legal organizations and community entities. The experiences of Australian and American institutions demonstrate that such collaborations enrich legal education, provide essential services to the public, and ensure the ongoing relevance and impact of CLE initiatives.

These collaborative models demonstrate how integrating CLE programs with legal organizations, community legal aid centers, and government institutions establishes a sustainable foundation for practical legal training and public service. By fostering partnerships with key stakeholders, CLE programs gain access to essential resources, mentorship opportunities, and real-world legal cases that enhance student learning experiences. Additionally, such collaborations ensure that underserved communities receive vital legal assistance while strengthening the role of CLE in promoting access to justice. This integrated approach not only improves the quality of legal education but also reinforces the long-term sustainability and societal impact of CLE initiatives.

STRATEGIES FOR ENSURING THE SUSTAINABILITY OF CLE PROGRAMS

To ensure their sustainability, it is essential to implement comprehensive strategies that encompass financial diversification, institutional support, technological integration, international collaboration, and robust evaluation mechanisms.

Diversifying Financial Resources

CLE programs thrive when they secure a diverse funding portfolio, reducing dependence on a single source and enhancing program stability. Therefore, diversifying funding sources is

crucial for the sustainability of CLE programs, particularly in contexts where institutional or government support is unstable. Across different regions, successful CLE initiatives have demonstrated the benefits of multi-channel financing through a combination of public funding, private-sector collaboration, and support from international or non-governmental organizations. In Australia, the Kingsford Legal Centre exemplifies this approach by integrating financial support from the New South Wales Legal Aid Commission with in-kind contributions from the law firm Herbert Smith Freehills, which is the second solicitor to the Centre. In the United States, Georgetown University's Street Law Program operates through a blended model of university funding and external grants, enabling the delivery of legal education to high school students and community groups.

In Asia, particularly within the ASEAN region, similar strategies have emerged. Chulalongkorn University's Legal Aid Centre in Thailand, established in 1992, benefits from university funding while partnering with civil society organizations such as the Human Rights Lawyers Association to enhance program delivery and supervision. In Malaysia, the University of Malaya's Legal Aid Clinic (KBGUM), initiated in 2006, operates through institutional support and strategic partnerships with the Malaysian Bar Council and the regional CLE organization BABSEACLE. Founded in 2003, BABSEACLE has played a pivotal role in expanding CLE throughout Southeast Asia, including Vietnam, where it has supported the development of programs at nine universities through formal agreements and capacity-building initiatives since 2005. Vietnamese law faculties, such as those at Vietnam National University, the Foreign Trade University (FTU), and the National Economics University (NEU), have also benefited from supplementary support from international donors, including the UNDP (Ho 2023).

These examples from Australia, the United States, and across Asia demonstrate that CLE programs can thrive when supported by a strategically diversified financial model. While the specific mechanisms vary across jurisdictions, they all reflect a common principle: financial sustainability is not incidental but foundational to the long-term viability and effectiveness of CLE initiatives. To replicate and scale such models, CLE programs must adopt comprehensive funding strategies that engage a broad spectrum of stakeholders—governments, universities, private law firms, NGOs, alumni, and the community:

- Achieving financial sustainability is crucial for the long-term viability of CLE programs. Diversifying funding sources helps mitigate financial risks and ensures continuous operation.
- Securing grants from government bodies and allocations from university budgets can provide a stable financial foundation. Advocacy for recognizing CLE as an integral component of legal education can lead to dedicated funding streams.
- Collaborating with law firms and non-governmental organizations offers opportunities for financial contributions, resource sharing, and joint initiatives. These partnerships not only provide funding but also enrich the educational experience by exposing students to real-world legal practices and perspectives.
- Engaging the community and alumni through fundraising campaigns can generate additional resources. Alumni who have benefited from CLE programs may be particularly motivated to give back, ensuring that future students have similar opportunities.

Institutionalizing CLE within Legal Education

For CLE to achieve long-term impact and sustainability, it must be embedded within the structural and academic framework of legal education institutions. Moving beyond pilot projects or extracurricular activities, institutionalization ensures that CLE becomes a recognized and integral part of legal training. This not only legitimizes experiential learning within legal academia but also aligns it with broader educational goals such as skills development, ethical training, and public service. The following strategies highlight how embedding CLE into legal education enhances both student learning and institutional engagement.

Embedding CLE into the core curriculum of law schools is crucial for its sustainability.

Integrating CLE as a mandatory or elective component of legal education promotes consistent student participation and strengthens institutional commitment, ensuring that practical skills are developed in tandem with theoretical knowledge. By embedding CLE into the curriculum, students gain hands-on experience in legal practice, improving their problem-solving, advocacy, and client interaction skills. This structured approach enhances the overall quality of legal education, better preparing graduates for professional practice. Additionally, institutionalizing CLE fosters a culture of experiential learning, reinforcing the importance of bridging academic knowledge with real-world application in the legal field.

Granting academic credits for participation in CLE programs encourages student engagement while acknowledging the educational significance of practical legal training. By formally integrating CLE into the academic framework, students are motivated to develop essential legal skills, including client advocacy, case analysis, and ethical decision-making. Recognizing CLE through academic credits also reinforces its role as a critical component of legal education, ensuring that experiential learning is valued alongside traditional coursework. This approach not only enhances student learning outcomes but also strengthens institutional commitment to preparing graduates for real-world legal practice.

Providing training and recognition for faculty involved in CLE creates a supportive environment that encourages their active participation, ultimately enhancing teaching methodologies and improving student learning outcomes. Equipping faculty with specialized training in experiential legal education ensures they can effectively mentor students in practical casework, ethical decision-making, and client advocacy. Recognizing faculty contributions to CLE through incentives, career advancement opportunities, or institutional support further strengthens their commitment to clinical education. This investment in faculty development not only enhances the overall quality of CLE programs but also fosters a more dynamic and impactful legal education system.

Leveraging Technology in CLE

As legal education and practice evolve in an increasingly digital world, the integration of technology into CLE has become essential for expanding access, improving efficiency, and enhancing student preparedness. Technology-enabled CLE initiatives not only extend the reach of legal services to marginalized and remote communities but also align experiential learning with the realities of modern legal practice. By embracing digital tools and platforms, CLE

programs can become more inclusive, adaptable, and globally connected—ensuring that future legal professionals are equipped with both practical skills and technological fluency.

Incorporating technology can enhance the reach and efficiency of CLE programs.

The development of virtual platforms for online legal clinics allows students to provide legal assistance remotely, expanding access to legal services while offering greater flexibility in learning. By removing geographical barriers, these platforms make it easier for underserved communities to receive legal support, ensuring that those in remote or disadvantaged areas can access justice. Additionally, students gain practical experience in digital legal practice, improving their ability to work in a technology-driven legal environment. Integrating virtual clinics into CLE programs enhances both educational outcomes and community impact, fostering a more inclusive and adaptable approach to legal education and service delivery.

The use of specialized software enhances case management, streamlines legal research, and improves overall program efficiency, ensuring that CLE programs operate smoothly and effectively. By integrating advanced legal technology, students gain hands-on experience with tools commonly used in professional practice, preparing them for the demands of the modern legal field. Additionally, digital solutions enhance collaboration, enable better tracking of case progress, and provide more efficient client service. Emphasizing technology in CLE programs not only optimizes workflow but also equips future lawyers with the essential skills needed to navigate an increasingly digital legal landscape.

Establishing global partnerships enhances CLE programs by incorporating diverse perspectives and legal practices, fostering a more comprehensive and dynamic learning environment. Collaborations with international institutions, legal organizations, and community groups provide students and faculty with exposure to different legal systems, innovative teaching methodologies, and cross-cultural insights. These partnerships also facilitate resource sharing, joint research initiatives, and policy development, strengthening the overall impact and sustainability of CLE programs. By integrating global best practices, CLE can better equip students with the skills needed to navigate complex legal challenges in an increasingly interconnected world.

Fostering International Collaboration

Establishing global partnerships enhances CLE programs by incorporating diverse perspectives and legal practices, fostering a more comprehensive and dynamic learning environment. Collaborations with international institutions, legal organizations, and community groups provide students and faculty with exposure to different legal systems, innovative teaching methodologies, and cross-cultural insights. These partnerships also facilitate resource sharing, joint research initiatives, and policy development, strengthening the overall impact and sustainability of CLE programs. By integrating global best practices, CLE can better equip students with the skills needed to navigate complex legal challenges in an increasingly interconnected world.

Facilitating student and faculty exchanges with international institutions provides participants with valuable exposure to diverse legal systems and cultures, enhancing their understanding and adaptability. Engaging in cross-border educational experiences enables students to develop a comparative perspective on legal practices, thereby enhancing their

analytical and problem-solving skills. Faculty members also benefit by gaining insights into innovative teaching methodologies and best practices from different jurisdictions. These exchanges foster professional growth, strengthen institutional partnerships, and contribute to the global integration of CLE programs, ultimately preparing students and educators to navigate the complexities of an increasingly interconnected legal landscape.

Engaging in research collaborations and participating in international conferences promote knowledge sharing and encourage innovation in CLE methodologies. These activities provide opportunities for legal educators and practitioners to exchange insights, explore emerging trends, and refine best practices in clinical legal education. By fostering academic discourse and cross-border cooperation, such collaborations contribute to the continuous improvement of CLE programs, ensuring they remain relevant and effective. Additionally, involvement in global research initiatives strengthens institutional credibility and creates pathways for further development, ultimately enhancing the impact of CLE in both legal education and community service. Participating in international CLE networks strengthens program development by providing access to valuable resources, best practices, and collaborative opportunities. These networks facilitate knowledge exchange, enabling institutions to learn from successful models worldwide and implement innovative approaches to legal education. Engaging with global partners also enhances the credibility and sustainability of CLE initiatives, fostering cross-border cooperation and expanding the reach of legal training programs. By integrating insights from diverse legal systems, CLE programs can continuously evolve to meet the changing demands of legal education and professional practice.

Implementing Comprehensive Evaluation and Impact Assessment

To ensure the long-term effectiveness, accountability, and adaptability of CLE programs, comprehensive evaluation and impact assessment must be embedded as a core component of program design. Beyond measuring student participation or client reach, a structured evaluation framework enables programs to monitor educational quality, assess social justice outcomes, and demonstrate institutional value. Such continuous assessment not only supports strategic improvement but also reinforces the legitimacy and credibility of CLE as a vital element of modern legal education.

Continuous assessment ensures that CLE programs remain effective and relevant.

Tracking the progress of CLE participants and assessing the impact on the clients they serve generates measurable data that helps evaluate program effectiveness. By consistently monitoring student development and client outcomes, CLE programs can identify strengths, address weaknesses, and enhance overall performance. This systematic evaluation ensures that CLE initiatives continue to provide valuable, practical training for students while effectively serving the community's legal needs.

Collecting feedback from students, clients, and partners is crucial in ensuring the continuous improvement of CLE programs. By gathering insights from multiple stakeholders, these programs can identify strengths, address weaknesses, and adapt to emerging needs. Regular evaluations help refine teaching methodologies, enhance student learning experiences, and improve service delivery to clients. Additionally, an effective feedback system fosters transparency and accountability, ensuring that CLE remains relevant and responsive to both

educational and community demands. This ongoing process of assessment and adaptation strengthens the overall impact and sustainability of CLE initiatives.

Adhering to national and international accreditation standards is essential for maintaining the quality and credibility of CLE programs. Compliance with these standards ensures that programs meet established educational and professional benchmarks, providing students with a rigorous and structured learning experience. Accreditation also enhances the reputation of CLE initiatives, increasing their recognition among legal institutions, employers, and funding bodies. Furthermore, alignment with global standards fosters opportunities for collaboration, knowledge exchange, and program development. By maintaining high accreditation and compliance levels, CLE programs can continue to offer valuable legal training while upholding the integrity of legal education and practice.

CONCLUSION

This article has explored key strategies for achieving sustainability in CLE, emphasizing the importance of diversified funding, institutional support, curricular integration, and stakeholder collaboration. Case studies from Australia, the United States, and across Asia—particularly in ASEAN and Vietnam—demonstrate that CLE programs flourish when embedded within legal education systems and supported through partnerships with legal institutions and community organizations.

The findings affirm that sustainability is not merely about funding but about creating a culture of experiential, socially engaged learning. Embedding CLE into academic frameworks, recognizing faculty contributions, and maintaining rigorous evaluation mechanisms are essential to long-term success. In emerging legal education systems, support from international organizations can play a crucial role in initiating and accelerating the development of CLE programs. However, for these programs to be effective and sustainable in the long term, they must eventually be led, adapted, and managed by local institutions.

Finally, CLE should be recognized not as an optional enrichment activity but as a foundational component of legal education. Strengthening cooperation between law schools, legal organizations, and communities will be essential to developing ethical, practice-ready legal professionals. Future research might further examine the role of digital tools, regional networks, and accreditation systems in scaling CLE sustainably across diverse contexts.

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Teaching Democracy: The Role of the German Orientation Course for Refugees from Authoritarian Regimes

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Abstract: *To support immigrants in becoming familiar with German culture and politics, the Federal Office for Migration and Refugees has developed the so-called orientation course, the final course module of the integration course, a German language and culture class consisting of 700 teaching units. Given that many participants come from authoritarian regimes, this course often represents their primary—if not only—exposure to political education in the context of democratic values. This article examines the legal and structural framework, curriculum, and teaching materials of the orientation course to assess its effectiveness in fostering a democratic culture. The analysis reveals that structural contradictions and deficits—both within and outside the course—hinder the internalization of democratic principles. These limitations create a paternalistic environment that is incompatible with fostering self-reliance and democratic engagement.*

Keywords: *Orientation Course; Political Education; Democratic Competence; Democratic Culture; Structural Obstacles; Integration; Refugees*

INTRODUCTION

Over sixty years ago, Gabriel Almond and Sidney Verba (1972, 4) concluded that democracies require democratic citizens to achieve stability. They embarked on the challenging task of defining what makes a citizen truly democratic, determining that such a citizen must possess specific competencies, values, and emotional connections to genuinely support a "pluralistic culture based on communication and persuasion, a culture of consensus and diversity, a culture that permitted change but moderated it"—a concept they referred to as "the civic culture" (Almond & Verba 1972, 8-15).

Hard to define and even harder to develop, this article attempts to examine an educational program that seeks to do just that, but under very different circumstances than those in which Almond and Verba conducted their foundational study.

A multitude of international crises continues to force thousands of people to flee their home countries and search for asylum in Western democracies. Over the last decade, the number of refugees and asylum seekers has doubled globally, reaching 122.6 million (BPB 2020; UNHCR 2025). While most refugees flee within their own country or to neighboring countries, many attempt to migrate to the European Union (EU). By the first half of 2024, over 3.5 million refugees with a wide range of legal protection statuses were living in Germany (BT-Drs. 20/13040). To integrate individuals who have been granted, or are likely to be granted, permanent permission to reside in Germany, the Federal Office for Migration and Refugees has established the so-called integration course (*Integrationskurs*). This course comprises 700 teaching units, each lasting 45 minutes in duration.

600 of those aiming to study the German language to a level sufficient for workplace integration and 100 teaching units to establish orientation in German culture and politics (BAMF 2025). Considering that a large number of participants in these courses come from authoritarian-ruled countries, such as Syria, Afghanistan, Iraq, and Iran (BAMF 2024, 8), the course is the primary, if not the only, offer for political education for individuals who have never lived in a democracy.

Although the course aims to provide an understanding of democracy, its institutions, and its values, I argue that neither its structure nor its curriculum effectively fosters democratic competencies such as comprehension, critical reflection, or participation. Therefore, this article aims to examine the values and competencies necessary for individuals in democratic societies and how Germany's orientation course contributes to their development.

LITERATURE REVIEW

To date, there has been limited research in the social sciences on the effects of integration courses in Germany (Lutterbach & Beelmann 2022, 365). The Federal Office for Migration and Refugees (BAMF) itself is responsible for the majority of publications on the topic.

Their most recent evaluation of the orientation course concluded that most participants primarily focused on studying for the final test, showing little interest in the course content itself (Kay et al., 2023, p. 18). Additionally, teachers highlighted the challenges in managing conflicts when discussing democratic values such as equality for all genders, religions, nationalities, and sexual orientations (Kay et al. 2023, 18). Lastly, the challenge of language abilities is mentioned in the context of some participants being unable to follow the courses due to insufficient German skills (Kay et al. 2023, 18).

Lutterbach and Beelmann (2022) utilized data from the Thuringia Monitor Integration, which surveyed 906 refugees regarding their political and ideological beliefs, to investigate whether participation in an integration course affected their support for democratic values and institutions. They concluded that the courses had a minimal effect, with the only significant improvements being an increase in institutional trust and support for constitutional freedoms, such as the right to demonstrate, free speech, and a free press. However, the course did not lead to any change in support for violence as a legitimate means of resolving conflicts (Lutterbach & Beelmann 2022, 374).

This confirms international research on immigrants from authoritarian countries and their views on democracy. While support for democracy is often high (especially the trust in institutions), it is mostly associated with material benefits such as wealth, safety and new perspectives (Müssig 2021, 132; Neu 2022, 2; Dollmann 2021, 1097, 1112; Bilodeau 2012, 361).

Despite the general support for democracy, it is also evident that, compared to immigrants from democratic countries, there is significantly higher support for authoritarian leadership and less tolerance for different social groups (Bilodeau 2012, 360, 366-368; Röder& Mühlau 2012, 790; Janmaat 2008, 31-37; Neu 2022, 4-10). It can, therefore, be argued that education aimed at fostering democratic values and competencies, as well as encouraging reflection on authoritarian ideas, should be prioritized.

METHODS

To address the question of what an offer of political education should and can achieve, this study adopts a two-step approach.

First, it outlines the key democratic values and competencies by drawing on relevant insights from democratic theory. This theoretical framework provides the normative basis for evaluating political education initiatives.

Second, the study examines the legal framework, curriculum, and two officially approved teaching materials used in the orientation course. By analyzing these components concerning the identified democratic values and competencies, the study assesses how effectively they align and contribute to the promotion of democratic education objectives.

DEMOCRATIC VALUES AND COMPETENCIES

Over the past few decades, many political and social scientists have used Almond and Verba's study as a foundation to substantiate the qualities required for someone to be considered democratic. However, for this article, it is essential to note that when discussing democratic citizens, the focus is specifically on citizens. Most studies theorize about people who have full access to civil rights and political participation. This is not the case for the group of people who participate in the orientation courses as refugees from authoritarian countries because they are usually not citizens of Germany or any other country of the EU and, therefore, cannot participate in democratic procedures such as elections (Article 28 GG). Hence, competencies like "political efficacy," which refers to the feeling of being able to influence politics (Verba et al. 1995, 272), must be excluded from this definition.

Additionally, it is crucial to acknowledge that the statements concerning democratic culture delineate a theoretically formulated ideal. This is not to imply that citizens who have been raised in democracies inherently embody this ideal.

The existing literature on democratic values and competencies will be summarized in the following.

Diffuse Democratic Support

Especially, David Easton has emphasized the importance of diffuse democratic support, which he describes as a general trust in democracy and its institutions that is difficult to define or explain (Easton 1975, 444). From this diffuse support stems the internalization and appreciation of principles of liberal democracies, such as free and fair elections and the federal protection of people's freedom and equality (Schmidt 2019, 385; Schmitz-Vardar 2024, 67). Furthermore, it entails the clear rejection of authoritarian rule or elements of such (Norris 2011, 24). This may also include support for democratic regimes and their forces, as democracy relies on society's acceptance of the authorities within a state (Pickel & Pickel 2006, 65). However, people need to appreciate their freedoms and autonomy and should resist a high degree of paternalism (Schmidt 2019, 385). This once again highlights the importance for every democratic person to value and respect, above all, the key democratic values of equality and freedom for everyone (Welzel & Alvarez 2015, 60).

According to Easton (1975), diffuse support has a stabilizing effect on democracy as a whole, fostering individuals' trust in political institutions and their identification with a political community (Easton 1975, 447). Somewhat less significant yet still important, he describes the need for specific democratic support, which he defines as approval of current political decisions and players (Easton 1975, 437). This is closely linked to the competencies listed in the following sections.

Knowledge

Certainly, while knowledge primarily serves the democratic citizen by enabling mindful participation—which, as previously mentioned, is often less of an option for participants in integration courses—it can be argued that democracy requires an informed populace (van Deth 2000, 117). Information about the country's people, history, and political system, as well as its position in the world, key figures, and power structures, plays a significant role in democracy (Almond & Verba 1972, 16). In addition, Kirlin (2002) argues for the importance of differentiating between the public, non-profit, and private sectors, as well as the importance of conscientious selection and reception of news (Kirlin 2002, 574). Liberal representative democracies also demand knowledge about the relevant political parties and their agendas, as well as general factors and more current affairs, such as how these parties plan to address specific challenges (Kruse 2024, 236).

Critical Thinking, Judgement for Action, and Partisanship

Knowledge of facts alone is insufficient for democracy. It also requires critical reflection on these facts and the ability to make an informed and reflective judgment. This includes the ability to switch perspectives, understanding that politicians, as well as others, may try to present themselves in a different light to gain supporters (Almond & Verba 1972, 16; Kirlin 2002, 574; Detjen et al. 2012, 40), and recognizing the potential effects of certain political measures (Kruse 2024, 239; Detjen et al. 2012, 41). While this may be more relevant when deciding how to vote or which political party to support, it might be less significant for individuals who do not have voting rights. Nevertheless, there may still be informal options for political participation. For example, refugees may still join organizations affiliated with certain political parties and participate less formally.

In addition to that, partisanship is important in a functioning democracy, not only to choose a party to support in an election but also because it shows involvement, an absence of indifference as well as the ability to connect politics with one's own daily life (Almond& Verba 1972, 31; Barber 2003, 133).

Tolerance for Ambiguity and Uncertainty

In a modern world of globalization, digitalization, and environmental and social crises, societies are becoming more heterogeneous, and political problems are becoming more complex. It is hence determined that in democracies that rely on cooperation and consensus, people need the ability to tolerate ambiguity and uncertainty (Bellmer & Möller 2023, 56; Kruse,

2024, 243). As the promise of simple solutions and certain outcomes for political measures becomes a hallmark of autocratic rule, the urge to categorize matters into black-and-white schemes of good and bad, right and wrong, without acknowledging complexity, becomes counterproductive (Frenkel-Brunswick 1949, 115-116; Kruse 2024, 245). Only in the acceptance of complexity and uncertainty, as well as dynamic and conflicting interpretations, lies the tolerance needed for a democratic community (Kruse 2024, 245).

The Capability to Resolve Conflict Through Discussion, Consensus, and Cooperation

This leads to the next essential competence, which is the ability and willingness to cooperate and resolve conflicts through discussion in order to work towards a consensus that all involved parties can live with (Almond & Verba 1972, 490; Kruse 2024, 231). Almond and Verba named "faith in people" as a necessity to develop such capabilities. They point out that democracy needs conflicting opinions, for without a choice between alternatives, there can be no democracy. However, this conflict must always be balanced by social trust for a society to function effectively (Almond & Verba 1972, 490).

Many theorists of democracy, such as Robert Dahl (1992, 53) and Benjamin Barber (2003, 133), have argued that democratic engagement is fundamentally expressed through deliberation, which simultaneously cultivates the capacity for democratic behavior. What Almond and Verba described as "faith in people" is further developed by Barber (2003, 170) as the ability to adopt another person's perspective and to act with empathy. In this context, conflict is not eliminated but transformed into cooperation through deliberative processes (Barber 2003, 135).

Identification with a Political Community and Balancing Individual and Collective Interests

This leads to a final necessity in a democratic culture, namely, the individual's connection to the political community. It has often been argued that a democracy cannot function without interconnected people because solidarity and a shared interest in the common good are essential for democratic participation (Verba et al. 1995, 272; Putnam & Gross 2001, 15-17). The democratic principles of popular sovereignty, as well as the acceptance of all people as free and equal, must be upheld by a society united by shared values (Schlenker-Fischer 2009, 12). Pluralism complicates this goal, but democracies may still hope for some universal values that can nonetheless be agreed upon. While the necessity for faith in people has already been mentioned above, it shall be added that democracy also needs an understanding of individuals that their lives are intertwined and that they must, therefore, consider the interests of the community as well as their own for otherwise there can be no ground for cooperation (Pateman 1985, 24).

PURPOSE OF THE ORIENTATION COURSE

The legally defined purpose of the orientation course as an integral part of the integration course is to facilitate knowledge of the legal order, German culture and history, and especially the values of the German democratic state system as well as the principles of the rule of law, including equal rights, tolerance, and freedom of religion (§ 3 IntV – Ordinance on Integration Courses). The curriculum of the orientation course substantiates that even further and more ambitious with the aim to create an understanding of the German political system, the development of a positive evaluation of the German state, the establishment of knowledge on rights and duties of German residents and citizens as well as competences to orient oneself in Germany further and to participate in German society whilst acquiring intercultural competence (BAMF 2017, 7).

These aims share many reference points with the previously examined values and competencies for democracies.

The first three points encompass both the competence of knowledge and diffuse support. The furthering of orientation and participation in German society, while being much more abstract, clearly implies the competence to gather and evaluate more information on one's own. This can be linked to the ability to critically reflect and judge in order to act in an informed and autonomous manner. While tolerance for ambiguity and uncertainty are not mentioned as goals of the curriculum, the ability to cooperate, solve a conflict by discussion and consensus, and identification or integration into the political community or society appears to be included in the term of knowing the legal system as well as rights and duties, the intercultural competence and of course the further integration into German society.

Concerning diffuse support, Easton (1975, 445) assumes that it is fostered by socialization as well as experience. It cannot, therefore, be expected of a course to teach this support. Then again, the diffuse support among immigrants from authoritarian countries appears at least partially established when examining the research cited above.

The connection to a political community should also be difficult to foster in the setting of an orientation course, for it is dependent on a commitment by civic society. Teachers might build connections or inform about organizations where participants can encounter Germans, but this would be a one-sided intervention where both sides need to make an effort. Additionally, many participants are constrained by their legal status, as will be elaborated upon later.

Whether the remaining goals can be achieved in the course will be analyzed through a closer examination of the course and its contents. Before we examine how the course further develops these abilities, there will first be some information on the course's conditions.

An Overview of the History and Legal Framework of the Integration Course

The legal foundation for integration courses can be found in Section 3 of the Residence Act (AufenthG). Its development was part of the 2005 Immigration Act, which, for the first time in German history, defined the integration of immigrants as a state obligation (Endres de Oliveira & Naghipour 2025, note 1 on § 43). While there is no legal definition of the word integration, it can be seen from the context that its legal understanding mainly focuses on German language skills, basic knowledge of the German legal system and culture, economic

independence from state benefits and not posing a threat to public order and security (Eichenhofer 2025, note 1101 on AufenthG).

The integration courses are primarily funded by the state and are usually free of charge for refugees as long as they receive basic social security benefits (Eichenhofer 2025, note 1110 on §§ 43-44a AufenthG). The Federal Office for Migration and Refugees (BAMF) certifies and oversees the organizing institutions for the courses and the mandatory tests at the end of the language and orientation courses (Schroeder & Zakharova 2015, 258).

Regarding the language course (integration course modules 1-6), the legal goal is to achieve a B1 level, as outlined in the Common European Framework of Reference for Languages (§ 3 IntV). The orientation course (integration course, Module 7) focuses on teaching basic knowledge of German law, culture, history, and, in particular, democratic values, as well as an understanding of the German political system (§ 3 I 2 IntV). Qualification requirements for teachers primarily concern degrees for German teachers, as specified in German law (§ 15 IntV).

The Federal Office for Migration and Refugees (BAMF) must approve the teaching materials for integration courses (Schroeder & Zakharova 2015, 258).

The Participants

Immigrants with a permanent permit to reside in Germany and a first residence permit for work, family reunification, humanitarian reasons, or a long-term residence permit have the right to participate in an integration course (§ 44 AufenthG), following the prohibition of discrimination in Article 18 of the Treaty on the Functioning of the European Union that also includes EU-citizens (Endres de Oliveira & Naghipour 2025, note 4 on § 44 AufenthG).

Statistics on participants in integration courses, sorted by country of origin, show that while the courses are open to a large number of immigrants, the majority appear to be living in Germany for humanitarian reasons (Table 1).

Table 1: Participants in Integration Courses, Sorted by Country of Origin (Source: BAMF 2024, 8)

Country of Citizenship	Total number	Percentage
Ukraine	117.382	32,3 %
Syria	57.442	15,8 %
Afghanistan	30.840	8,5 %
Turkey	25.618	7,0 %
Iraq	8.236	2,3 %
Iran	7.840	2,2 %

Since the Russian invasion of Ukraine, a large number of participants have come from Ukraine. However, a significant number originate from authoritarian-ruled countries like Syria, Afghanistan, Iran, and Iraq (BAMF 2024, 8).

This development, in which participants are now mainly refugees, led to an expansion of the orientation course in 2017, which formerly consisted of only 60 teaching units. Additionally, the curriculum was modified to focus more on constitutional principles and democratic values, including gender equality and religious tolerance (Lutterbach & Beelmann 2022, 368).

The focus of this article is on refugees from authoritarian countries, which is why their legal situation warrants further elaboration.

After refugees have been granted a residence permit, they are typically entitled to basic security benefits for job seekers (SGB II) and participation in an integration course (BMAS 2025).

Like the SGB II, the state integration support follows the two principles of support and demand ("Fördern und Fordern" - § 43 I AufenthG), which means that in return for the financing of basic needs, integration and job counseling as well as learning opportunities like language courses, the law demands that immigrants actively work on their integration (Endres de Oliveira & Naghipour 2025, note 1 on § 43 AufenthG). Integration is herein defined as the insertion into German economic, cultural, and social life (Röcker 2022, on § 43 AufenthG).

A key element in enforcing the demand part of this concept is the reliance on sanctions in case recipients do not comply with the directions given by the involved public authorities. Non-compliance can lead to cutbacks on basic security benefits (§ 31a SGB II) and, in some cases, even negatively influence the decision on a residence permit (Hadamitzky & Senge 2024, 126).

The Curriculum

Ambitiously, the curriculum states that considering the experiences participants have had in Germany, the course is intended not only to illustrate the meaning of democracy and constitutional rights for a self-determined life, as well as constructive cooperation, but also to enable them to experience it firsthand. The amount of discourse is supposed to be increased, whilst always drawing a clear line of where personal freedoms end. Experiences of daily situations, as well as conflicts, are to be examined from different perspectives so that participants may reevaluate their former views and positions (BAMF 2017, 13). All of this should occur under the principles of the Beutelsbacher consensus, a concept for teaching political education that prohibits indoctrination, encourages discussion on controversies and helps students analyze their interests and find ways to translate them into political action (BAMF 2017, 14). Furthermore, teachers are encouraged to connect the course topics with current regional developments and provide examples of public discourse on matters that participants can relate to (BAMF 2017, 14).

Some of the curriculum's requirements address the participants themselves, who are expected to understand German at an A2 level, possess prior knowledge of the topics, be able to study independently and be willing to contribute to the course through active participation (BAMF 2017, 19).

The curriculum outlines numerous guidelines for both teachers and students (BAMF 2017, 16-19). The teachers of these courses are mainly German language teachers, as also noted in the curriculum. It, therefore, offers advanced training as part of its program. It is worth noting that the majority of teachers in integration courses are not employees but rather work as freelancers, a condition that the labor union for education and science has criticized for their low wages and uncertain employment status (GEW 2023). It could be argued that such working conditions provide little motivation or resources for teachers to go beyond their responsibilities.

The next step will be an examination of two BAMF-approved textbooks for orientation courses to assess the materials provided to teachers and students in fulfillment of these demanding guidelines.

Textbooks for the Orientation Course

For this article, the following two approved textbooks have been examined:

- Buchwald-Wargenau, Isabel. 2022. Mein Leben in Deutschland. Der Orientierungskurs – Basiswissen Politik, Geschichte, Gesellschaft. 2nd Edition. München: Hueber Verlag.
- Schote, Joachim. 2024. Orientierungskurs. Grundwissen Politik, Geschichte und Gesellschaft in Deutschland. Vorbereitung auf den Test Leben in Deutschland. 1st Edition. Berlin: Cornelsen Verlag.

The books open with an overview of what politics in a democracy entails. While Buchwald-Wargenau begins with a prompt to discuss this question, Schote starts with a chapter on the essential elements of democracy and its institutions (Buchwald-Wargenau 2022, 13; Schote 2024, 10). Both books recite some of the constitutional rights in Germany. This is done by quoting legal paragraphs on human dignity, the right to live and physical integrity, equality of all people and genders, freedom of expression, religion, press and movement, as well as the four basic principles of the organization of the state which constitute that Germany is a federal republic, a democracy under the rule of law and a welfare state. All of these are explained in the context of interviews, quotes, right or wrong questions, and examples of violations (Buchwald-Wargenau 2022, 14-23; Schote 2024, 12-17). They introduce symbols of the state, such as the German flag and the national anthem, and further elaborate on what federalism means, what a welfare state entails, and the rights and duties of residents in Germany (Buchwald-Wargenau 2022, 22-34; Schote 2024, 18-25, 30-35). Constitutional bodies, such as the Bundestag (German parliament) and the Federal Constitutional Court, are explained (Buchwald-Wargenau 2022, 36-39; Schote 2024, 20-22). Schote (2024, 18-25) focuses the exercises on tasks such as summarizing texts in one's own words, matching texts and pictures, examples, or summaries, and reports on the situation in the country of origin or experiences in Germany. Buchwald-Wargenau (2022, 23) does that, too, but inserts more questions to trigger reflection, such as asking participants to name the visibility of democracy in their daily lives. Essentially, the only information available on current politics is the introduction of political parties and figures in the Bundestag (Buchwald-Wargenau 2022, 39; Schote 2024, 26).

The first chapters conclude by presenting forms of participation through voting, volunteering, or the activities of NGOs, such as labor unions or Greenpeace (Buchwald-Wargenau 2022, 44-48; Schote 2024, 28, 34-37).

The second chapter focuses on German history, specifically the period since 1933. By providing basic information about the Hitler regime and its numerous crimes, both books offer a rather superficial foundation for reflection, which they attempt to stimulate through the question of what can be learned from this history (Buchwald-Wargenau 2022, 51-56; Schote 2024, 42-47). What follows are explanations of the division and reunification of eastern and western Germany, as well as the consequences that can still be seen today. Interestingly, this

part is mainly input-oriented and provides little to no tasks for reflection or discussion (Buchwald-Wargenau 2022, 58-62; Schote 2024, 49-54).

Both conclude with an explanation of the EU and Germany's role in it, leading to the question of what participants think of the EU (Buchwald-Wargenau 2022, 64-68; Schote 2024, 56-61).

Under the headline "Human and Society," the third chapter tries to capture German culture. Buchwald-Wargenau (2022, 71) begins by defining tolerance and an exercise to reflect on it. Schote (2024, 66-69) begins with a reflection on what is important to people in Germany and to participants, as well as the experience of arriving in and getting accustomed to Germany. Both books then cover the topics of family, leading to equality among men and women, as well as the education of children (Buchwald-Wargenau 2022, 72-86; Schote 2024, 70-78), and lifelong learning (Buchwald-Wargenau 2022, 86; Schote 2024, 80). They then turn to further deepen their understanding of democratic values by discussing tolerance, different cultures and lifestyles, religious diversity, and how to solve conflicts peacefully (Buchwald-Wargenau 2022, 88-102; Schote 2024, 83-92).

RESULTS

The first chapters encompass a vast amount of complex information, which is intended to be covered in 35 teaching units (typically 20 teaching units per week), including a field trip (BAMF 2017, 24). While Buchwald-Wargenau includes some exercises for reflection, most exercises in both books are mainly the reproduction of information given in the texts. Notably, the language used is also very complex. This is reflected in the course evaluation, which found that many participants struggle to follow due to insufficient language skills (Kay et al. 2023, 18). Quite clearly, both books place much responsibility on the teachers of the courses, as apart from the fact that the book cannot facilitate discussion and probably not even reflection, there is no information on local or current politics. Hence, teachers of the courses are obliged to continuously stay informed on such matters to pass that information on.

Both books do rather little to utilize the historical summary as examples from which to understand better what democracy is and why it was established in Germany in the way it is found today. Whilst knowledge acquisition seems to be the main goal, reflective parts fall rather short.

Both books use images and texts—such as interviews and newspaper articles—as starting points for discussion. They ask participants to share and compare their own experiences in Germany and elsewhere. Naturally, some exercises serve only to enhance understanding and the acquisition of new German expressions, but some test democratic skills. Both books, for example, offer an exercise where participants are supposed to find a solution to a described conflict (Buchwald-Wargenau 2022, 95; Schote 2024, 86). In both books, the last chapter attempts to capture an essential aspect of democratic competence. The emphasis on equality between men and women, as well as religious tolerance, reflects the changes implemented in 2017, as mentioned earlier.

Both books thoroughly cover the curriculum topics required for course approval and address all the democratic competencies mentioned. They offer rich content, emphasizing tolerance—especially when engaging with differing perspectives—and pose reflective questions

that foster critical thinking, judgment, and responsible partisanship. Additionally, they offer concrete opportunities to practice peaceful conflict resolution and provide information on organizations that participants can join to integrate into German communities. Managing all that on about a hundred pages is rather impressive, and yet the question remains: does it make a difference?

DISCUSSION

Initially, the conclusions of Lutterbach and Beelmann, who found little significant change in attitudes with or without the orientation course, were summarized (Lutterbach & Beelmann 2022, 374). This hardly comes as a surprise to Almond and Verba, who knew over 70 years ago that political education alone cannot create or change a political culture. They assumed then that individuals learn about democracy through political experiences and socialization (Almond & Verba 1972, 499).

As mentioned earlier, a significant amount of responsibility is placed on teachers by the curriculum, as well as the examined books. It has been explained that teachers are usually not professionals in teaching political education but rather in language education, and that most work as freelancers. It could, therefore, be argued that better working conditions, such as higher pay or proper employment, would provide stronger grounds to ensure better utilization of advanced training and increased motivation to meet the demands of this challenging job.

It is also worth considering that a multiple-choice test at the end of the course may not be the ideal way to conclude the course, as the evaluation revealed that many students focus solely on studying for the test questions (Kay et al. 2023, 18).

In addition, it might also be necessary to reflect on the curriculum itself. If we examine the curriculum and the textbooks, some parts suggest that participants need to be taught specific things. The revised version of the course was attributed to a shift in participants, indicating that it is now primarily taken by refugees (Lutterbach & Beelmann 2022, 364). The new focus on gender equality and tolerance for other religions implies that these are things that refugees know little about, and the teaching materials deal with that in a bit of a paternalistic way. In this very private area, the course instructs participants on how things are done in Germany, and it is more than implied that this is the right way.

The deeply rooted and very private ideas of family and faith will hardly be influenced by a couple of hours of input on how this is to be practiced. The discussion of these personal subjects might also cause heavy conflict in these very heterogeneous courses, which could overstrain the facilitating skills of teachers. It might be helpful to standardize the inclusion of speakers from outside the course who deal with such matters professionally. This might be the case in some orientation courses, but it could be included in the curriculum.

If we look beyond the course setting, it is essential to recognize that the participants' general legal situation—particularly that of refugees—has a significant impact on their motivation to participate. Although they may be interested in the course content, their participation is not always entirely voluntary but often mandated by assignment (§ 44a AufenthG).

The values of freedom, equality, and, above all, self-determination can be studied in the course; however, the question remains how they can be internalized when participants experience a high amount of paternalism and dependence in their day-to-day lives.

CONCLUSION

Naturally, a course of 100 teaching units, typically spanning five weeks, cannot adequately manage the complex process of internalizing a democratic culture. This analysis has shown, however, that there are ways to improve the effects of the course for its participants by softening the element of force and paternalism and, above all, finding ways to describe very complex subjects like human dignity in words that can be comprehended by people who have only been studying German for some months. From a teacher's perspective, creating better working conditions and further qualification in political education, as well as skills for moderating potentially very emotional debates, can be recommended in order to raise professional standards. On an organizational level, this could be achieved by reflecting on different forms of tests to complete the course and establishing standardized procedures for inviting experts (for example, on different religions and cultures) to diversify the teaching staff and help facilitate difficult topics that might lead to heavy discussions.

The orientation course is only the last course module of the integration course, which focuses mainly on language acquisition. It is the author's opinion that state-financed language and culture courses for immigrants and refugees are a key element of successful integration. The positive effects of participation in an integration course on integration into the labor market have been demonstrated through empirical evidence (Brücker et al. 2024, 1). It is, however, also the author's opinion that neither language nor political culture can be learned in a classroom alone and that a full-time course that prevents its participants from work, internships or other activities that could lead to much more contact with other people living in Germany might be counterproductive. A more flexible part-time language course, as is offered in Norway, for example (Kosyakova et al. 2024, 59), might be more effective in internalizing the German language and culture.

In a globalized world, people with very different values and beliefs have to come together and manage to form political communities, as solidarity is an important part of democracy. Establishing a democratic culture is very difficult, as can be seen by the prevalence of anti-democratic developments all over the world, even in countries where students learn about these topics for many years. However, learning democracy needs more than theoretical knowledge. It needs democratic structures and practices that make a self-determined life possible.

CONTRIBUTOR

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Confronting Right-Wing Extremism and Authoritarianism in Germany: The Role of Critical and Emancipatory Education

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Abstract: *German society, like many others, experienced trends and developments that posed a threat to democratic values. These manifested on the individual level through authoritarian attitudes and on the societal level through the spread of resentment and anti-democratic ideologies. This article proposed educational principles aimed at countering such developments, drawing on the framework of Critical Theory. Through a comprehensive literature review, the study examined recent studies that analyzed contemporary sociopolitical trends in Germany, thereby enabling an adaptation of Critical Theory to current challenges. Based on these insights, the article outlined a concept of education that was both critical and emancipatory.*

Keywords: *Aggression; Authoritarian Dynamics; Authoritarian Syndrome; Maturity; Criticism; Critical Theory; Resentment*

INTRODUCTION

Authoritarian attitudes are becoming increasingly popular in democracies worldwide and are also becoming more widespread in Europe (Silver and Janell 2024). This also applies to Germany. Here, especially in the last two to three years, there has been a worrying rise of authoritarian populism, authoritarian, radical right-wing and right-wing populist attitudes. These developments are related to the ever-emerging crises that have been affecting societies worldwide and thus also German society for more than a decade (Decker, Kiess, Heller, and Brähler 2024; Zick, Küpper, and Mokros 2023; Mathias et al. 2024). However, crises are not the sole cause of the emergence of these authoritarian attitudes and therefore do not suffice as an explanation for this development.

This article aims to develop starting points and principles for education against authoritarianism, radical right-wing and anti-democratic attitudes in order to counter these social developments. To this end, current socio-political studies will first be evaluated, which examine current social trends and their causes in Germany. The theoretical framework for this objective is the Critical Theory, i.e., both the causes and manifestations of authoritarian, right-wing and anti-democratic attitudes and the development of pedagogical principles to counter these social developments are evaluated, examined and developed using Critical Theory. This article also takes into account the inherent limitations and internal contradictions of education with regard to its emancipatory potential. This approach will allow theoretically consistent pedagogical-didactic ideas and settings for emancipatory and anti-authoritarian education to be developed in the future. Analogous to Critical Theory, it is assumed that anti-democratic and

authoritarian aspirations and attitudes are immanent to civilization, the Enlightenment, and ultimately to democratic societies—that is, civilizational regression is already inherent in society and civilization.

According to Theodor W. Adorno (1971b), a key representative and co-founder of Critical Theory, the imperative that "Auschwitz should never happen again' is the foremost demand of education." (p. 88). Klaus Ahlheim (2010) also refers to Adorno's "pedagogical imperative" (p. 39). If one agrees with Adorno's assessment of the most important and fundamental task of pedagogy, then the ultimate goal of education can only be "education to maturity" (Adorno 1971c, 133ff). A democratic society can only exist, according to Adorno, in the style of Immanuel Kant, if each individual is able and willing to form their will autonomously and maturely (Adorno 1971d, 133).

Critical Theory is used for this purpose, since it still serves as a reference point for research on authoritarianism and prejudice (Decker et al. 2024, 9ff.) and is therefore particularly suitable to develop approaches for an education oriented towards maturity (Horkheimer, Adorno, and Ahlheim 2010). Critical Theory and thus its understanding of maturity must be considered in the historical context and are bound to the current events. This means that the pedagogical imperative formulated by Adorno, the understanding of maturity of Critical Theory as well as Critical Theory as an analytical instrument for today's conditions, developments, and crises need to be put in relation and updated accordingly (Messerschmidt 2010, 127).

Furthermore, the use of Critical Theory allows the results of studies on political attitudes to be embedded within a broader social theory, thereby enabling the recognition of anti-democratic and Authoritarian Dynamics within democratic societies (Decker, Kiess, Heller, and Brähler 2022, 11 and 20f.).

LITERATURE REVIEW

Critical Theory is bound to its period of origin and must be considered in this context. For this reason, Critical Theory as an analytical tool must be adapted and updated to today's times and challenges (Messerschmidt 2010, 127). In order to achieve this goal, a literature study will evaluate current studies that capture the current socio-political developments, thus the emergence of right-wing radical and right-wing populist attitudes in Germany and their causes. For this purpose, the so-called Authoritarianism Study (Decker et al. 2024) and the Middle-Study (Zick et al. 2023) are used to show developments in society as a whole in Germany. These two studies are to be considered as representative and allow, by their structure, not only superficial developments but also deeper and not immediately recognizable phenomena to be captured and revealed. These studies are complemented by studies that focus on the attitudes, values and perceived problems of young people in order to specify further the challenges and requirements for an education against authoritarianism.

METHODS

The above-mentioned studies will be evaluated as part of a literature study with regard to authoritarian, radical right-wing and anti-democratic social developments, trends and their reasons. The focus is on current social attitudes, trends, and resentments of adolescents and

young adults, as these are likely to be the main addressees of school education against authoritarianism. These studies are analyzed through the lens of Critical Theory. In particular, specific elements such as the concept of the Authoritarian Syndrome and Adorno's notion of totality within democratic societies are employed. The entire analysis rests on the fundamental assumption that the path to authoritarianism—or, in Adorno's terms, to barbarism—is already embedded in civilization, the Enlightenment, and thus within modern democratic societies themselves. On the basis of these analytical results, necessary starting points for emancipatory education against authoritarianism and anti-democratic social attitudes and aspirations are then developed. To this end, elements of Critical Theory will be used to identify elements of such emancipatory education. These elements are adapted to current challenges and the current context. In the following, the main assumptions of the analytical categories of Critical Theory used are presented.

Basic Assumptions of Critical Theory: The Dialectic of Enlightenment and Barbarism

Already at the beginning of "Dialectic of Enlightenment" (Horkheimer and Adorno, 1969/2008), one of the foundational works of Critical Theory, Adorno and Horkheimer anticipate their historical conclusion (Borst 2011, 114):

> Ever since the Enlightenment has pursued the goal in the broadest sense of progressive thinking—to dispel fear and establish human beings as masters of nature—the fully enlightened earth radiates under the sign of triumphant calamity. The program of the Enlightenment was the disenchantment of the world. It sought to demythologize and to overthrow myth through knowledge (Horkheimer and Adorno, 1969/2008, 9).

The central aporia encountered in their work is stated as follows:

> The self-destruction of the Enlightenment is the first object to be examined. We have no doubt—and herein lies our *petitio principii*—that freedom in society is inseparable from enlightened thought. However, we believe we have recognized just as clearly that the concept of this very mode of thinking, no less than the concrete historical forms and institutions of the society in which it is embedded, already contains the germ of that regression which is taking place everywhere today (Horkheimer and Adorno, 1969/2008, 5).

For Adorno and Horkheimer, the anti-civilizational tendencies are inherent in civilization and the Enlightenment itself (Adorno 1971a, 88). Society thus produces within itself the very forces that threaten it from within (Decker et al. 2022, 29). According to Horkheimer and Adorno, the process of Enlightenment—understood as the "disenchantment of the world" and the dissolution of myth—paradoxically gives rise to new myths and ultimately leads to catastrophe (Horkheimer and Adorno 1969/2008, 9). It is precisely this dialectic, this internal contradiction, that characterizes the mode of thought and reasoning of Adorno and Horkheimer (Ahlheim 2010, 41-52).

According to the Critical Theory, civilization and culture are the origin of all suffering by limiting impulses and aggressions and converting them into social feelings, general civilizational

discomfort and civilizational pressure. People feel trapped in civilization and try to free themselves from these shackles, which leads to violence and ultimately to anti-civilizing, barbaric and evil. The pressure of civilization, culture and society, Adorno describes this as the dominant general, on the people, on the special becomes so great that one's own identity and the will to resist with which one can oppose the dominant general is less and less (Adorno 1971b, 90). The general is becoming more and more prevalent, whereby deviations are perceived. This leads to a social compulsion for conformity and identity. Man should adapt to the order and rationality created by himself (Borst 2011, 114f.).

According to Adorno and Horkheimer, the Enlightenment was a battle against old myths. The Enlightenment did not overcome these myths, but rather new, modern myths emerged. The old myths have been transformed into new ones (Decker et al. 2022, 21ff.). Old systems and myths are overthrown and replaced by new ones, with the basic conditions and relations of domination continuing in a changed form in a new system, in new myths. The conditions of companies do not change. According to Adorno (1942/2003): "The new does not add itself to the old but remains the need of the old, its neediness, as it becomes current through its thinking purpose, its indispensable confrontation with the general in the old itself as an immanent contradiction. In all antithetical mediations, history thus remains an immoderate analytical judgment. This is the historical essence of the metaphysical teaching on the identity of subject and object in the absolute" (p. 374).

An essential part of modern myths is their instrumental use as ideology. Old, pre-Enlightenment myths wanted to make opaque phenomena like nature transparent (Decker et al. 2022, 23f.), while modern myths suggest above all an unalterability and immutability of the existing conditions. Through the subjugation of nature by man, there is an alienation of man from nature and himself; that is, man is subjected to the rationalization constraints created by him. People are alienating themselves from what they exercise power over themselves (Horkheimer and Adorno 1969/2006, 15ff.).They fall into the delusion of being able to explain everything by their rational system, but according to Horkheimer and Adorno, this turns out to be an illusion. The uncontrollable is dialectically interwoven with reason, and thrusts back more strongly the more people try to exercise control and detach themselves from their inner nature (Borst 2011, 115f.). Modern myths thus have a greater destructive potential than old myths. The desire for omnipotence, the desire to be connected with everything in order to control everything, does not lead to autonomy, but destroys the condition for the possibility of autonomy (Decker et al. 2022, 23f.). The people can change the conditions. Adorno speaks here also of how society no longer penetrates their thoughts and feels itself defenseless against it. They push their being to the circumstances, whereby these do not change (Adorno 1971a, 16). People thus bow to existing conditions, and overlook the fact that these same conditions are made by humans and therefore also changeable (Ahlheim 2010, 54).

According to Adorno, the Dialectic of Enlightenment and anti-Enlightenment, civilization, culture, and barbarism represent a mode of thinking characterized by irresolvable contradictions (Adorno 1970, 15f.). Thinking in contradictions does not mean that a thing has two sides, but these contradictions are immanent to the things (Adorno 1970, 16). Objects and things considered do not fit in their terms; objects and their terms become contradictory. This contradiction consists in "untruth of identity, of the emergence of the conceptual into the concept (...), the primacy of contradictory thinking in dialectics measures the heterogeneous in

unitary thinking" (Adorno 1970, 15). Dialectics is "the consistent consciousness of non-identity, but the appearance of identity is immanent to thinking. Thinking means identifying" (Adorno 1970, 15). Dialectics, the entanglement of identity and non-identity, the uncovering and thinking in contradictions, is not a law of thought but one of reality and practice (Adorno 1970, 16). The society is also contradictory. These contradictions must be considered in the analysis of political attitudes (Decker et al. 2024, 9) and thus also in educational contexts and their analysis.

Critical Theory considers political attitudes in connection with social contradictions; that is, political attitudes and prejudices are closely related to the criticism of social conditions which these attitudes produce, considered (Decker et al. 2024, 9). Therefore, the concept of education and the closely related concept of emancipation, in particular the possibility of individual emancipation of people under current conditions, can also be found through the reference to Critical Theory, that is, to let people in a non-alienated life to the social conditions surrounding them come to themselves (Borst 2011, 111). Adorno's lectures and talks on education for maturity are based, among other things, on his or her. Studies on the Authoritarian Character (Ahlheim 2010, 43), so that the evaluation of the studies based on Critical Theory and the concept of authoritarianism allows a theoretically consistent approach. However, it should be noted that the Critical Theory is not a developed method box, not a fully developed theory, but rather shared common theoretical foundations, which can be shaped differently (Holzer and Daniela 2019, 722).

The Authoritarian Syndrome as an Analytical Category of Social Developments

In order to identify and expose social trends, democratic, pluralistic, anti-democratic, anti-Semitic or authoritarian attitudes, terms such as left- and right-wing extremism or center are frequently used in politics and the media to describe social phenomena, which is not very suitable. The use of these terms is criticized by science, as this polarization obscures the view of social developments. However, resentment and extremism are also present in the so-called middle of society; the "middle" only produces it (Decker et al. 2022, 15; Decker et al. 2024, 12; Zick et al. 2023, 27). National Socialism in Germany also arose from the middle of society and was supported by it (Zick et al. 2023, 27). The focus on the social special case of extremism is obscuring the view on socially inherent phenomena, which are not only found at the edges but are widespread in all areas of society. Thus, society does not engage with itself, and deeply rooted phenomena and trends are not recognized (Decker et al. 2022, 17). The observation and analysis of attitudes, expectations, feelings and resentments of individuals thus serves to gain access to the so-called "center" (Decker et al. 2024, 12).

For this reason, Authoritarian Dynamics and the Authoritarian Syndrome, closely related to the Authoritarian Character, are used as categories of analysis in the sense of an individual response to social dynamics (see Decker et al. 2022, 77). These can also be attributed to Critical Theory in a broader sense, which allows for a consistent methodological and analytical approach. The studies on Authoritarian Character reveal the vulnerable zone of this character (Horkheimer et al. 1952, 291) and can therefore be used as a starting point for an education against authoritarian attitudes and an education to maturity (Adorno 1971b, 91).

An analysis of social trends and attitudes based on these theories can therefore simultaneously serve to reveal social phenomena and provide starting points for emancipatory, age-oriented education.

The concept and exploration of the Authoritarian Character goes back to Erich Fromm, who at the beginning of the 1930s wanted to explain the rise of fascism in the 1920s, that is, what drives people to fascism, antisemitism and authoritarianism, with his studies conducted at the Institute for Social Research (Fromm 1936). According to Fromm, the Authoritarian Personality includes the types of the ruler and the dominated. The Authoritarian Personality is incapable of being autonomous and living in freedom. The authoritarian man is unable to love, incapable of using his mind and therefore lives in deep fear. He needs an authority with which to merge, since he cannot bear his fear, and in doing so, he destroys his own identity. The Authoritarian Character has a passive, masochistic side that makes itself small and subservient to make itself part of a larger whole. This frees him from having to make decisions and take responsibility. The active, sadistic Authoritarian Character is just as filled with fear as the passive character. He feels strong when he has power over others, so he depends on other people. The active and passive Authoritarian Characters are thus dependent on each other as in a symbiotic existence. Many Authoritarian Characters contain both elements, an active and a passive part. In one reference group, they realize their sadistic urges, in the other, they satisfy their masochistic impulses (Fromm 1957, 1ff.). Fromm's studies on authoritarianism and the Authoritarian Character were from the 1940s onwards, among others, by the Institute for Social Research with the studies on "Authoritarian Character" (Adorno, Frenkel-Brunswik, Levinson, Sanford, and Aron 1950) and with the "Studies on Authority and Family" (Horkheimer, Fromm, Marcuse, Mayer, Wittvogel, and Honigsheim 1936/1987).

Modern theories of authoritarianism have expanded upon the Authoritarian Syndrome and the Authoritarian Personality by incorporating additional analytical elements. Socially or politically threatening developments can intensify the Authoritarian Syndrome. Based on Decker et al. (2022, 77), the sadomasochistic element of the Authoritarian Character is represented by the categories Authoritarian Submissiveness, Authoritarian Aggression and Conventionalism. The sadomasochistic side of the Authoritarian Character is also a mirror of a society and thus also allows for social and ruling analyses (Decker et al. 2024, 10). These three elements comprise the submission to political and social authorities, the satisfaction of aggression through the condemnation of socially dissenting groups, as well as the retention and maintenance of an existing order. The element of Authoritarian Aggression can effectively capture anti-democratic attitudes and reflexes, as these are not necessarily tied to specific ideologies such as neo-Nazi beliefs. Political ideologies, on the other hand, which legitimize and rationalize Authoritarian Aggression, can be very different and shared only by a part of the population in a fragmented society. The extent of anti-democratic attitudes and values can therefore be greater than, for example, a pure focus on a right-wing radical attitude would imply. The use of Authoritarian Character, as an analytical category, thus enables a deeper understanding of the true extent of Authoritarian Dynamics (Decker et al. 2022, 78f.). Furthermore, the reference to Critical Theory and its analysis regarding the origin of aggression in connection with the Authoritarian Personality can reveal deep-seated reasons for authoritarian attitudes and dynamics.

The Authoritarian Syndrome has been extended by the research on authoritarianism to a second dimension of projectivity, with the categories of conspiracy mentality and superstition

(Decker et al. 2022, 77). Submission to an authority includes the recognition of the reality represented by that authority, even if this contradicts one's reality. Denial of reality is, from a psychoanalytic perspective, a defense mechanism that helps individuals cope with conflicting realities and make them bearable. This contradiction often leads individuals to join particular groups when their connection to reality no longer offers them a sense of power or control over their own lives. In such cases, the group—and its shared values, norms, and beliefs—becomes an ideal to which they aspire. Authoritarian individuals do not necessarily require a strong leader; they can also connect to an abstract group ideal through collective identities. For this reason, the population's desire for a strong leader may be lower than the overall level of Authoritarian Aggression. Focusing solely on the demand for a strong leader when assessing social authoritarianism risks underestimating the true extent of Authoritarian Dynamics (Decker et al. 2024, 11).

RESULTS

Current Social Attitudes, Trends, and Resentments

Elements of the Authoritarian Syndrome were also quite widespread before 2022 (Decker et al. 2024, 12). Right-wing extremist attitudes declined steadily before 2022. However, surveys conducted after 2022 show a reversal of the trend (Decker et al. 2024, 22; Zick et al. 2023, 84). There is an increase in all dimensions of right-wing extremist attitudes, especially concerning antisemitism and xenophobia (Decker et al. 2024, 87). Social and ethnic statements are increasingly accepted (Zick et al. 2023, 84); almost 40% of the respondents support a strong national community (Decker et al. 2024, 88). This development can also be observed among young people in Germany (Albert et al. 2024), although it cannot be said that the youth are drifting away to the right (Faas, Roßteutscher, and Schäfer 2024). This increase is mainly due to young men. The proportion of young people who consider themselves to be right-leaning is more than twice as high among male adolescents at 25% (Albert et al. 2024, 16).

This analysis shows that right-wing extremism is not a problem at the so-called fringes of society, but is present in the entire population. At the same time, the proportion of people who explicitly reject right-wing extremist attitudes is falling. Right-wing extremist attitudes seem to be becoming more and more normal, with latent approval rising. These developments overall indicate a significant disruption of the democratic system (Zick et al. 2022, 84ff.).

There is also an increase in the already high levels of Muslim hostility, antigypsyism, trans-hostility, homophobia and sexism (Decker et al. 2024, 66ff.). This development can also be seen among young people in Germany. Also, 34% of respondents have resentments against migrants, and almost half of the young people think that refugees are preferred by the state over German citizens (Albert et al. 2024, 14ff.). Traditional antisemitism seems to be less common among young people, while Israeli-related antisemitism is much more widespread than among adults and continues to increase (Schubert 2024, 27).

These resentments are present in all political circles and among supporters of all political parties, especially anti-Semitic resentments and antigypsyism. This one in particular reaches alarmingly high values (Decker and Brähler 2025, 2). These aggressions are directed against groups that supposedly deviate from the norm. In this context, there are also high approval

rates for a violence-related ideal of masculinity, as well as broad acceptance of violence (Decker et al. 2022, 12f.). Additionally, 18% of young people support the use of violence as a means to resolve social conflicts (Albert et al. 2024, 17). In addition, there has been a marked decline in satisfaction with democracy and confidence in it and a marked increase in political deprivation. Overall, there has not been such a high level of dissatisfaction with democracy since the studies were started in 2006 (Decker et al. 2024, 71ff.; Zick et al. 2022, 23).

On the other hand, there is always strong support for an authoritarian state. Also in the categories of Authoritarian Syndrome, almost all increases can be observed (Decker et al. 2024, 88). Moreover, 44% of young people support a strong state order, and 88% endorse conformity to the existing social order (Albert et al. 2024, 17 and 20). A further development is that the desire for authority does not necessarily manifest itself in a strong leader but rather in group identities and group dynamics, a longing for collectivity (Decker et al. 2024, 87ff.).

Group dynamics are related to chauvinism, which has also risen. Chauvinism manifests itself in the distinction between one's group and groups perceived as outsiders. One's group is valued, the others are devalued. Group dynamics are based on authoritarian needs, which in turn are based on Authoritarian Aggression. This leads to resentment and hatred toward deviant groups (Decker et al. 2024, 58f.). The COVID-19 pandemic, in particular, contributed to radicalization and the growing significance of chauvinism by fostering new ideological groups that are no longer easily classified as right-wing radicals, right-wing populists, or left-wing radicals. Instead, these groups draw on ethnic or authoritarian ideological elements and can be described as rebellious (Zick et al., 2023, p. 22). These mixed and ambiguous worldviews are increasingly common among young people under 20 and are especially dynamic within this group. Young people's perceptions of the world are primarily shaped by social media (Brace, Baele, and Ging 2023).

People seem to be becoming more and more susceptible to radical, anti-human and anti-democratic ideologies (Zick et al. 2023, 25). Overall, society seems to be increasingly permeated by Authoritarian Dynamics. These include people in all socio-economic areas and all political camps (Decker et al. 2024, 19). Authoritarian Dynamics is also widespread and growing among young people (Pösl and Fereidooni 2023; Albert et al. 2024, 17). Both in the general population and among young people, Authoritarian Dynamics and elements of the Authoritarian Syndrome are much more common than right-wing extremist attitudes, even if there are overlaps here.

Even if resentment, right-wing radical attitudes and Authoritarian Dynamics are present in all political milieus, at all levels of education and in all age groups, they are among voters of the AfD (Alternative for Germany) and probably among non-voters at the highest. The political milieu of the AfD voters is characterized by resentment, a high willingness to anger, destructiveness and a devaluation of people due to an alleged group affiliation. The election of the AfD as part of the democratic, political decision-making process is driven by authoritarian-destructive needs and should be effective through the electoral decision. This is increasingly becoming a threat to liberal democracy, and it is striking that men are over-represented among the AfD voters. At the same time, the AfD has the lowest average educational level of all parties. The presence and extent of resentment and aggression seem to be related also to the level of education (Decker et al. 2025, 2ff.).

A similar pattern emerges when examining the prevalence of resentments and radical right-wing or right-wing populist attitudes among young people. These attitudes and resentments are notably overrepresented among male adolescents and those with lower educational attainment (Faas et al. 2024).

In the spread of resentment and Authoritarian Dynamics, people's perception of crises also plays a role. Only when people subjectively perceive objective developments as being critical of the state can we speak of a crisis. Whether one can speak of a crisis depends less on the objective events than on their perception and processing by people. Nevertheless, the destructive potential and challenges posed by crises are undeniable realities. When multiple crises occur consecutively, people develop a continuous sense of crisis. This psychological dimension is closely intertwined with economic factors (Decker et al. 2024, 13f.). During crises, adverse economic conditions emerge, such as underinvestment in infrastructure, education, and healthcare (Truger 2024, 10ff.), alongside growing income and wealth inequality (Ederer and Rehm 2020). These developments are perceived negatively by the public.

The destructive potential of society and its crises often appears overwhelming and indifferent to people, manifesting as social brutality and violence. This violence, in turn, transforms into aggression directed against other individuals and society as a whole (Horkheimer et al. 1969/2008, 15ff.; Adorno 1971b, 90; Borst 2011, 115f.). Crises, therefore, have the potential to escalate people's aggression further. Consequently, struggles over resource distribution, identity, and status increasingly affect society, leading to growing resentment and polarization (Decker et al. 2024, 13f.). This dynamic compels individuals to reposition themselves and, in some cases, to abandon solidarity with minorities and renounce democratic principles (Zick et al. 2023, 25f.).

The resentments, aggressions and fears associated with the crises are exploited by populists who often act as multipliers of opinion (Lazarsfeld, Berelson, and Gaudet 1949). They conjure up and force the crises by further dramatizing them, by speaking of downfall, conspiracy or subversion and by fueling fears and resentments (Zick et al. 2023, 21ff.).

A further explanation for the development of aggression is based on how society secures its livelihoods. According to Adorno, society and the people's conception of society are completely occupied by economy and technology; that is, the economy confronts humans as both a visible and invisible repressive totality (Adorno 1942/2003). This overwhelming control leads to more aggression.

The totality of the market economy is also felt by people in practice through the pressure and stresses of everyday life, which is reflected, among other things, in an increasing number of mental illnesses. Ever faster technological developments, especially in the context of digitalization and the economization of almost all areas of life, mean that people are increasingly required to be more flexible and are increasingly overwhelmed (Decker et al. 2024, 17ff.).

DISCUSSION

Education for Maturity and Against Authoritarian Dynamics in Society

Although the vast majority of young people and young adults identify with the state and society, they are positive about democracy and tolerant of social minorities (Albert et al. 2024, 16ff.). Nevertheless, both in society as a whole and among the young people and young adults, worrying developments can be observed that are partly threatening democracy. Thus, resentment against minorities and right-wing radical attitudes is growing throughout society. Authoritarian Dynamics are also expanding.

In order to protect liberal democracy, it is therefore necessary to develop a corresponding defense strategy. An important element of such a strategy is the field of education. If one refers to the inherent thinking of Critical Theory in contradiction to this problem, one could despair because of the great challenges. According to Adorno, Enlightenment and civilization ultimately lead to disaster. Barbarism is itself inherent in the principle of civilization (Adorno 1971b, 88). Education is a component of civilization and culture, and as such, also part of the processes that can lead to catastrophe. At the same time, according to Adorno, the only viable response lies in an education oriented toward emancipation—an emancipatory education capable of counteracting authoritarian and anti-democratic tendencies and, ultimately, preventing a repetition of Auschwitz. Adorno reveals himself as a skeptical realist regarding the possibilities of education. Despite its inherent limitations and the likelihood of failure, emancipatory education remains the only hope (Ahlheim 2010, 41-52).

Education is, therefore, inherently contradictory, and this contradiction cannot be fully resolved. However, the recognition of both the necessity and the limits of Enlightenment education should not lead to resignation. Instead, it must inspire the development and implementation of emancipatory educational approaches aimed at combating resentment and authoritarianism. People's willingness to resist, along with their capacity for compassion and empathy, must be strengthened. Mechanisms that foster conformity and aggression should be exposed, and courage to engage in deviant or dissenting behavior must be encouraged (Ahlheim 2010, 41-52). The necessity of (emancipatory) education is also rooted in the lived realities and conditions of students. Although there is no perfect protective effect of education against resentment, authoritarian or right-wing radical thinking (Zick et al. 2023, 84), yet these attitudes and prejudices and ideologies seem to fall on a more fertile soil in people with a low level of education than in people with a higher level of education (Decker et al. 2025, 2ff.; Faas et al. 2024).

Realizing the aims of emancipatory and enlightenment-driven education requires a prior recognition of its intrinsic limitations. These limitations, however, do not mark an endpoint but rather a point of departure for emancipatory educational efforts. When Critical Theory is employed as the foundation for educational processes that counter authoritarian tendencies, its core principle lies in confronting and mediating irresolvable social contradictions (Ahlheim 2010, 54; Adorno 1970, 15f.). Authority, aggression and barbarism are already embedded in culture and civilization; the basic constitution of society is thus constructed through contradictions. In the understanding of Critical Theory, society is also constituted by its inherent contradictions, discontinuities and breakpoints (Messerschmidt 2010, 141ff). Education cannot resolve this

contradiction, but it can show and reveal it to people and thus make previously unconscious mechanisms explicit and thus accessible for reflection (Horkheimer 1952, 17ff.).

In addition to thinking in contradictions, the ability to criticize and the associated understanding of social totality in the sense of a theory of society are also inseparable from an emancipatory education (Adorno 1969a, 8f.). These abilities can reveal social connections and contradictions to criticism (Dahrendorf 1969, 146).

People can no longer penetrate the conditions with their thoughts and feel defenseless. They push their being to the circumstances, whereby these do not change (Adorno 1971a, 16). People thus bow to the existing conditions, and overlook that these conditions are made by men and therefore also changeable. This is another starting point for emancipatory education, by making these mechanisms explicit to people (Ahlheim 2010, 54).

Adorno refers to the concept of totality in democratic societies. He does not understand this as a direct form of domination, but rather as a way of conveying domination through ideology. The relations of power, contradictions and correlations in a society can only be understood by analysing the totality (Adorno 1969c, 127). Since all data, questions, and theories—Adorno explicitly refers here only to those within the social sciences and economics, excluding the natural sciences—are themselves part of and expressions of the societal totality, any claim to objectivity must be critically examined in light of the structures and contradictions inherent in that totality (Adorno 1969c, 125–132ff.). These inherent mechanisms can only be uncovered through criticism—and above all, through self-criticism—of one's theories, modes of thinking, and the questions one poses (Adorno 1969b, 82). The goal is the self-clarification of society and the creation of rational conditions (Horkheimer 1937, 172). Modern myths, such as the myth of the market economy, which today are primarily ideology and above all suggest that the current conditions are indispensable and immutable, could form a starting point to approach the totality. The method of ideological criticism can be used (Blankertz 1974).

The origin of all aggression lies in the inherent contradiction of civilization and culture, which cannot be directly altered by education or pedagogy. However, education aimed at combating authoritarianism must address the roots of aggression, because only through this understanding can the emergence and impact of the Authoritarian Syndrome, authoritarianism, resentments, and anti-democratic ideologies—such as Neo-Nazi ideology—be fully comprehended (Adorno 1971a, 25f.). Therefore, a crucial element of education oriented toward maturity must be the Enlightenment about the origins and mechanisms of aggression (Adorno 1971c, 123-128).

Aggressive tendencies may manifest through diverse ideologies and forms of resentment. Thus, an exclusive educational focus on Neo-Nazi ideology proves insufficient, as it overlooks the deeper psychological and societal causes that enable the redirection of aggression into such ideological frameworks. This also defies the reality of the lives of many young people, as they increasingly compose their worldview from different ideologies. Therefore, various ideologies and resentments that are particularly present in young people should be considered. In this context, group dynamics and bonds should also be considered. Individual fates, which have been subjected to violence due to resentment or ideologies and their divergent group affiliation, could be used for concrete implementation (Adorno 1971b, 95).

In connection with the development and satisfaction of aggressions as well as the economy, inextricably interwoven with the social totality, economic relations should also be

subject to enlightenment education. Economics confronts people as an impenetrable and all-powerful totality, overpowering them and thus leading to aggression, destructiveness and fear. Education cannot directly change the economic conditions, but it can make people aware of and show them the mechanisms of economics, that the economic conditions in a contradictory historical process have been made by people themselves and that long-term changes are possible in this area. People must be encouraged and empowered to intervene in social processes and change them towards more humanity (Horkheimer 1952, 18ff.). This is all the more necessary as young people are increasingly looking at their future in the face of crises, including economic crises. Worries, fears, feelings of loss and loss of control increase (Albert et al. 2024, 17). People perceive the crisis-like developments in society, social, political, economic and ecological as overpowering and partly as social violence. Crises can thus further intensify existing aggressions (Decker et al. 2024, 13f.). Education must therefore also make the mechanisms of crises explicit to people. It must be shown to people that crises are not an objective phenomenon, but arise only in the subjective perception.

Maturity in connection with educational processes, therefore, means above all also being able to act and judge independently and autonomously, not only within existing conditions. Rather, people must be enabled to think beyond existing conditions and also to actively intervene in them in order to change society into a more humane one. Only in this way can the rising aggressions in people be reduced to a certain extent, which in turn leads to more democratic and humane conditions.

Finally, education aimed at combating aggression must also address individuals' personal dispositions (Adorno 1971b, 101). Adorno describes "coldness" as a subjective feeling of discomfort that can be linked to economic, social, or societal structures, as well as to actions and human nature (Gruschka 1994, 7ff.). According to Adorno, "coldness" is a fundamental characteristic of modern societies and a basic element of human anthropology (Adorno 1971b, 101). The economization of many aspects of life in contemporary societies—often experienced as overwhelming or even violent—along with social and economic conditions that disregard the individual, contributes to the development of this "coldness" (Gruschka 1994, 53ff.). Both individual and social coldness result in people who possess only limited capacity for empathy and compassion and who seek to assert their interests at the expense of others. This leads to indifference toward the suffering of others (Adorno 1971b, 101), which in turn impedes, and paradoxically may even facilitate, the rise of resentment and authoritarian tendencies. The nature of coldness must be made explicit to individuals (Adorno 1971b, p. 102). Based on this awareness, education should aim to cultivate conscience, independent judgment, empathy, and compassion (Fromm 1957, 4). In this regard, educational approaches that rely on repression, oppression, or competition are counterproductive. Authoritarian behavior, even when exhibited by teachers, should neither be glorified nor tolerated in the classroom; rather, it must be actively overcome (Adorno 1971d, 141). Authority, as Decker et al. (2022, 23f.) argue, destroys the conditions necessary for autonomy.

CONCLUSION

The use of Critical Theory as an analytical tool offers a distinct perspective on social change and helps uncover the underlying causes of contemporary developments. The studies analyzed in this article indicate that German society, especially since 2022—likely influenced by the COVID-19 pandemic and the onset of the Russian war against Ukraine—has experienced a troubling shift marked by democratic erosion. These multiple crises have intensified pre-existing aggressions, which manifest individually as authoritarian tendencies and socially as Authoritarian Dynamics, resentments, and anti-democratic ideologies across almost all areas examined.

According to Critical Theory, however, the root causes of aggression and its expression through various channels do not lie solely in crises, but in deep-seated, insoluble contradictions within civilization, culture, society, and economic systems. While crises may amplify these aggressions, they fundamentally stem from these structural contradictions. These contradictions reveal both the limits and opportunities of education aimed at fostering maturity and resisting authoritarian attitudes. To effectively counter these developments, education must teach individuals to think dialectically—understanding social and economic contradictions and the origins of both personal and societal aggression. Following Adorno's view, despite education's limitations, only an Enlightenment-oriented education can provide such understanding.

Counteracting the alarming rise in Authoritarian Dynamics requires education to cultivate empathy, self-reflection, autonomy, critical thinking, openness to contradiction, and resistance. Moreover, education must address the "coldness" in human behavior that contributes to social alienation. Although these general principles of emancipatory education are essential, they need to be further specified and translated into concrete educational goals and curricula, highlighting a clear need for additional research.

Furthermore, advancing the economic analysis of authoritarianism is crucial for better explaining the rise of authoritarian, right-wing extremist, and anti-democratic attitudes. Such insight could also offer new avenues for effective intervention. Given the serious threats these social trends pose to democracy, freedom, and tolerance, fundamental efforts should be made to orient school education more closely toward realizing Adorno's pedagogical imperative. This article provides theoretically grounded starting points to support such efforts.

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